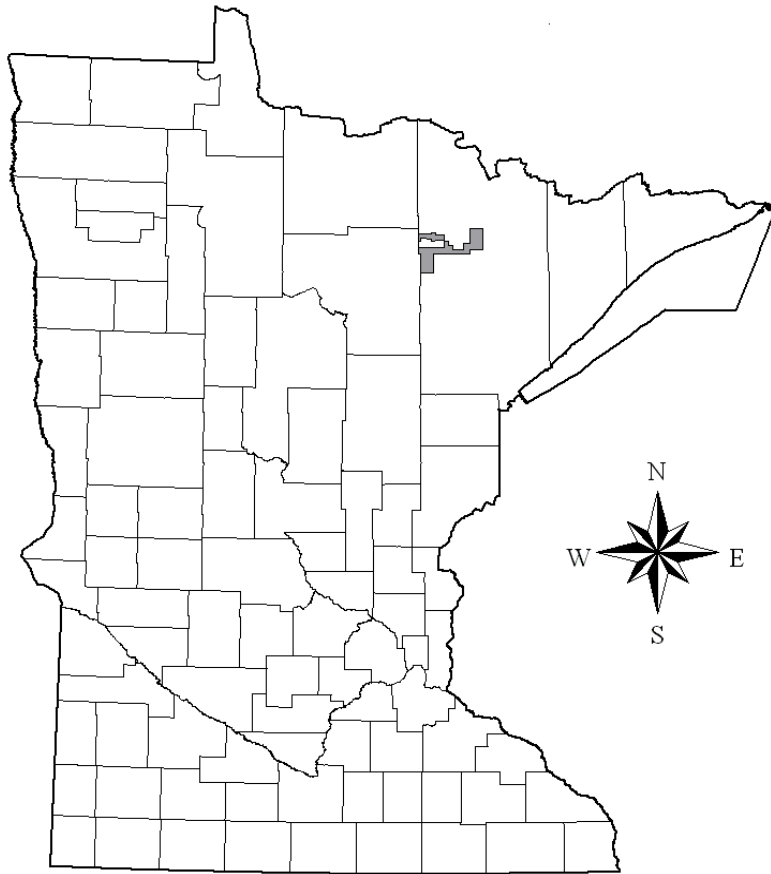


**Forest Classification & Road / Trail Designation Plan  
for the Sturgeon River State Forest  
in St. Louis County, Minnesota**

**Final Draft  
September 22, 2008**

**Sturgeon River State Forest**



**Minnesota Department of Natural Resources**

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# Executive Summary

## Purpose

Minnesota Laws 2003, Chap. 128, Article 1, Sect. 167 (as amended) requires the Commissioner of the Department of Natural Resources (DNR) to review the classification of all state forests, and other state forest lands under the authority of the Commissioner by December 31, 2008. The DNR is to evaluate the current 'managed' forest classification, according to the process set forth in MN Rules Part. 6100.1950, and retain or modify this classification as appropriate.

This plan also identifies those forest roads and trails that the DNR proposes to officially (un)designate for various road and trail purposes within the planning area. Consistent with legislative policy direction, the future use of off-highway vehicles and motor vehicles (e.g., ATVs, OHMs, ORVs, HLVs) in this area will henceforth be in accordance with the direction outlined in this plan, as adopted by the Commissioner.

## Lands Covered by this Plan

The Sturgeon River State Forest is located in NW St. Louis County north of the cities of Hibbing and Virginia. The towns of Side Lake and Bear River lie within the forest. The forest is accessible via State Hwy 53 from the north or Hwy 73 from the south, and from State Hwy 1 from the east or west. The forest is bounded on the west by the Itasca County line.

This plan covers state and county administered forestlands within the statutory boundaries of the SRSF, and some additional state lands located outside the forest boundary that were included because of the unique shape of the forest. Combined, this area constitutes the SRSF 'Planning Unit'. St. Louis County has been an active participant in DNR's OHV-related planning efforts and has been consulted on a regular and continuing basis.

**Land Ownership.** The statutory boundary of the forest is approximately 146,692 acres. State lands outside the boundary bring the Planning Unit acreage to 173,266 acres. Included are 60,770 acres of state land and 23,350 acres of county-administered forest lands land within the Planning Unit boundaries. See Table 1.

**Table 1. Summary of State & County Forest Land Ownership: Sturgeon River State Forest**

Source: Forest Access Route Unpublished Data, Jan. 2007. DNR DRS. Generated using ArcView extension.

State / County Forest Lands	DNR-Admin Lands (acres)	DNR Routes (miles)	St. Louis Co. Lands (acres)	St. Louis Co. Lands (miles)
Inside Sturgeon River SF	52,710	96.7	21,947	62.5
Outside State Forest	8,060	19.6	1,403	0.6
<b>Totals</b>	<b>60,770</b>	<b>116.3</b>	<b>23,350</b>	<b>63.1</b>

**Lands Affected.** Forest land classification and route designations apply to all state forest lands within the Planning Unit, both inside and outside of state forest boundaries, but only for those county lands located inside the forest. This plan does not address private lands located within the forest, or lands located within public road rights-of-way. Under state law, county forest lands within the SRSF will be managed similarly to state forest lands upon the effective date of this plan, unless the St. Louis County Board of Commissioners adopts a formal resolution or ordinance that specifies a different management approach for these lands. Classification decisions are based upon the department's analysis of the eight criteria contained in MR Part 6100.1950, Subp. 1-4 which guide the classification of state forest lands for motor vehicle use.

## **Final Motor Vehicle Use Classification**

All state forest lands within the Sturgeon River State Forest, and scattered state lands outside the forest, are currently classified as *'managed'*. State lands within the BWCAW are *'closed'* to motor vehicle use, and will remain so under this plan. The plan retains the *'managed'* classification for all state forest lands located within the statutory boundaries of the SRSF, except for those lands located inside the statutory boundary of the Superior National Forest (total of 23,490 acres or 39% of the state lands located within the forest). State lands inside the proclamation boundaries of the Superior National Forest will be reclassified as *'limited'*, as per motor vehicle use. Scattered lands immediately outside the forest will, for the most part, retain their *'managed'* classification.

### **Closed Classification - 'Sand Creek Tributaries'**

Three areas totaling 24,603 (gross) acres in the Sturgeon River State Forest were originally proposed for motor use limitations pursuant to *MS Chap. 84.926, Subd. 5*. This has been pared to a recommended *'closed'* classification for just the Sand Creek Tributaries site. This is a 9,033 acre site which includes 7,583 acres of DNR forest land and 1,450 acres of St. Louis Co. lands. The team has suggested that existing hunter walking trails and water crossings be improved in the area, and that future non-motor trail designations be considered. The site contains the headwater tributaries of Sand Creek, which is a designated trout stream. Cooperators concur with this *'closed'* motor vehicle classification recommendation.

The *'closed'* classification means that no OHV use of the area will be permitted – even on State Forest Roads. The hunter / trapper exceptions of *MN Stat. Chap. 84.926* will also not apply in this area. HLVs may use state forest roads in the area posted open to vehicle use, and snowmobile use will be unaffected.

All trail access and entry points, and the area boundaries themselves, will be clearly mapped and posted to inform forest users of vehicle use restrictions. Designated State Forest Roads or trails within this area will remain open to vehicle use, subject to the prohibitions on off-trail travel, and pursuant to any temporary road closures or seasonal road-use restrictions. However, vehicle use of any unsigned or undesignated routes in the areas will not be permitted at any time.

Although St. Louis County intends to manage their lands similarly, this prohibition will apply only to state forest lands within the specified area, unless St. Louis county takes action to impose similar restrictions on county lands in the area. Any future road or trail development proposals through the Sand Creek Tributaries Area will be evaluated carefully, recognizing that vehicular use may be inconsistent with the management objectives that prompted this special designation.

### **Forest Road & Trail Designations [Table 2]**

The planning team evaluated all inventoried forest access routes and recommended that they be designated as a road or trail, be closed to future use, or that they remain *'non-designated'*. For existing designated roads and trails, the presumption was that the current designation and uses would be maintained, unless there was a compelling reason to propose changes. Under the *'managed'* classification, all routes not designated as forest roads or recreational trails will remain open to vehicular use, subject to state land prohibitions on rutting, erosion and damage to living vegetation.

### **State Forest Road Designations**

The DNR divides State Forest Roads into two classes – System Forest Roads (SFRs) and Minimum Maintenance Roads (MMRs) – based on their condition, intended use and planned maintenance level. State Forest Roads are generally open to use by both highway-licensed vehicles and off-highway vehicles (ATVs, OHMs, and ORVs). However, roads may be temporarily closed, at any time, to some or all vehicular use due to public safety and/or natural resource protection considerations. Minimum maintenance roads are more likely to be subjected to travel restrictions than are higher standard system forest roads.

**System Forest Roads** (SFRs) are the major roads in the forest that provide forest management access, recreational access, and links to state, county, or township public roads. System roads are used on a daily or weekly basis, and are graveled and maintained to allow travel by highway-licensed vehicles. System roads are typically open to all motor vehicles, including OHVs, but may be closed seasonally or temporarily to address specific road or fire conditions. State Forest Roads are, by definition, not regular public roads. They are principally intended to serve state forest management

and protection needs, and they do not provide legal access to private property. Final orders implementing this plan designate 13.3 miles of DNR System Forest Roads inside the SRSF.

**Minimum Maintenance Roads (MMRs)** are forest management access roads used on an intermittent basis. Recreational users may use them, but they are not promoted or maintained for recreational use. MMRs will be graded and graveled as needed for forest management purposes, but may not always be usable by low-clearance vehicles. MMRs are signed and may be gated and/or closed during certain times of the year. Final orders implementing this plan designate 14.6 miles of DNR-administered MMRs inside the SRSF, and 0.3 miles outside the forest.

## Recreational Trail Designations

**Off-highway Vehicle (OHV) Trails.** Final orders implementing this plan designate 12.7 miles of OHV Trails. This trail system will also be opened to HLV, ORV, ATV and OHM. To complete this recreational trail system, 4.7 miles of the Taconite State Trail will eventually be opened to motorized use. This, however, will require a separate forest road designation and an amendment to the Taconite Trail Master Plan. These steps will occur separately from the implementation of this plan. One mile of new trail construction may also be required in order to make key connections between existing route segments.

**Snowmobile.** Final orders implementing this plan do not designate any snowmobile trail miles within, or immediately outside of the boundaries of the Sturgeon River State Forest.

**Table 2. Final Forest Road and Trail Designation Summary for the Sturgeon River State Forest Planning Unit – State Lands Only  
St. Louis County, Minnesota**

Source: Forest Access Route Unpublished Data, Sept. 2008. DNR DRS. Generated using ArcView extension.

Proposed State Land Route Designations	Lands Inside State Forest (miles)		Lands Outside State Forest (miles)		State Land Totals (miles)	
Inventoried Routes	<del>96.7</del> 111.9		<del>19.9</del> 20.5		<del>116.6</del> 132.4	
System Forest Road	<del>13.1</del> 13.3		0.0		<del>13.1</del> 13.3	
Min. Maintenance Forest Road	<del>12.4</del> 14.6		0.3		<del>12.7</del> 14.9	
Non-designated Routes		47.8		8.8		56.6
Proactive Closures	44.2 35.2	66.7	4.1 5.0	11.0	48.3 40.2	7.7
In closed forests						
In limited forests	15.8		0.0		15.8	
In managed forest ( <i>Access Routes</i> )	<del>33.6</del> 15.7		4.7 6.0		<del>38.3</del> 21.7	
OHV Trail/SFR Dual-Designation	<del>12.9</del> 12.7		0.0		<del>12.9</del> 12.7	
Snowmobile Trail	<del>5.5</del> 0.0		0.0		<del>5.5</del> 0.0	
Hunter Walking Trails	<del>17.9</del> 17.3		<del>10.8</del> 9.2		<del>28.7</del> 26.5	
<b>RED</b> denotes changes to draft proposal.						

**Non-motorized.** Final orders implementing this plan designate 17.3 miles of DNR hunter walking trails inside the SRSF and 9.2 miles outside the forest. Most of these routes have a history of such use. Non-motorized trail users (e.g., hikers,

horseback riders, cross-country skiers, snowshoers, mountain bikers) may also use forest roads, trails, and most non-designated routes in the forest.

**Proactive Route Closures** Implementation of this plan will result in the permanent closure of 40.2 miles of inventoried routes. The Planning Team deemed these routes 'unsustainable' for vehicular use. The routes are located both inside (35.2 mi.) and outside (5.0 mi.) of state forest boundaries. These routes will be gated, bermed, signed 'closed' and, in some cases, revegetated to discourage illegal vehicular use.

**Forest Access Routes.** About 21.7 miles of '*forest access routes*' will remain non-designated under this plan. These are former logging roads, skid trails, abandoned snowmobile trails, or other historic travel routes. Some may be user created, often to access private property or hunting areas. They generally receive limited use and may dead end. They are unsigned and will not be regularly maintained. Under the managed forest classification, it is legal to operate all types of motor vehicles (e.g., HLV, ORV, ATV, OHM) on forest access routes subject to state land prohibitions on causing erosion, rutting, or damage to trees or growing crops. If damage occurs or use of the routes becomes problematic, they may be closed to motorized use.

## Introduction

*Minnesota Laws 2003, Chap. 128, Article 1, Sect. 167 (as amended)* requires the Commissioner of the Department of Natural Resources (DNR) to review the classification of all state forests, and other state forest lands under the authority of the Commissioner by December 31, 2008. The DNR is to evaluate the current 'managed' forest classification, according to the process set forth in *MN Rules Part. 6100.1950*, and retain or modify this classification as appropriate.

Off-highway vehicles include All-Terrain Vehicles (ATVs), Off-Highway Motorcycles (OHMs), and Off-Road Vehicles (ORVs), such as Jeeps and four-wheel drive trucks, but not snowmobiles or Highway Licensed Vehicles (HLVs). This plan identifies forest roads and trails that the DNR will designate for various road and trail purposes on state-administered lands within, and immediately adjacent to, the Sturgeon River State Forest. Future use of off-highway vehicles (OHVs) in the Sturgeon River State Forest will generally be restricted to roads and trails specifically designated and signed for such use.

## Process

In August 2003, an interdisciplinary team was formed to:

1. Review the recently-completed inventory of existing forest access routes on state and county-administered forest lands within, and immediately adjacent to, the Sturgeon River State Forest.
2. Evaluate the current '*managed*' classification of state forest lands, pursuant to motor vehicle use criteria, and recommend any proposed changes to this classification.
3. Evaluate existing forest access routes using the Rapid Environmental Assessment Checklist. Determine which of these routes is capable of sustaining continued motorized use.
4. Formulate and present the team's recommendations for forest classification and road / trail use designations for public review and comment. Revise said plan to incorporate public comments as appropriate and secure final approval by the DNR Commissioner. Implement in the field by the plan's effective date.

## Lands Covered by this Plan

The Sturgeon River State Forest is located in NW St. Louis County north of the cities of Hibbing and Virginia. The towns of Side Lake and Bear River lie within the forest. The forest is accessible via State Hwy 53 from the north or Hwy 73 from the south, and from State Hwy 1 from the east or west. The forest is bounded on the west by the Itasca County line.

This plan covers state and county administered forestlands within the statutory boundaries of the SRSF, and some additional state lands located outside the forest boundary that were included because of the unique shape of the forest. Combined, this area constitutes the SRSF 'Planning Unit'. St. Louis County has been an active participant in DNR's OHV-related planning efforts and has been consulted on a regular and continuing basis.

**Land Ownership.** The statutory boundary of the forest is approximately 146,692 acres. State lands outside the boundary bring the Planning Unit acreage to 173,266 acres. Included are 60,770 acres of state land and 23,350 acres of county-administered forest lands land within the Planning Unit boundaries. See Table 3.

**Table 3. Summary of State & County Forest Land Ownership: Sturgeon River State Forest**

Source: Forest Access Route Unpublished Data, Jan. 2007. DNR DRS. Generated using ArcView extension.

State / County Forest Lands	DNR-Admin Lands (acres)	DNR Routes (miles)	St. Louis Co. Lands (acres)	St. Louis Co. Lands (miles)
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**Lands Affected.** Forest land classification and route designations apply to all state forest lands within the Planning Unit, both inside and outside of state forest boundaries, but only for those county lands located inside the forest. This plan does not address private lands located within the forest, or lands located within public road rights-of-way. Under state law, county forest lands within the SRSF will be managed similarly to state forest lands upon the effective date of this plan, unless the St. Louis County Board of Commissioners adopts a formal resolution or ordinance that specifies a different management approach for these lands.

## **Natural Resources Assessment**

### **Landforms and Vegetation**

The Ecological Classification System (ECS) helps describe, map and manage ecosystems at various scales using climatic, geologic, topographic, hydrologic, soils and vegetation data. The Sturgeon River State Forest (SRSF) is entirely within the Laurentian Mixed Forest Province, but is further divided into three Subsection levels: Lake Vermilion Uplands (59%), Nashwauk Uplands (37%), and Border Lakes (4%) Subsections. Specific ECS Subsection level ecological features are outlined below:

**Lake Vermilion Uplands Subsection:** This Subsection is the predominant ECS level in the NE, NW, and western portions of the SRSF. Unlike the other two Subsections, it has relatively flat topography with very few lakes (e.g., only one very small 18-acre lake called Little Lost Lake), but numerous exposed bedrock outcrops do occur.

The Subsection has a major network of streams and rivers, including a small segment of the Littlefork River. All of the SRSF is north of the Laurentian Divide so drainage is to the north. The Bear and Sturgeon Rivers, two major rivers in the Subsection, flow to the Littlefork River, to the Rainy River, and in to Lake of the Woods (Littlefork River Major Watershed).

Because much of this Subsection is in a glacial lake plain (i.e., formerly occupied by an eastward extension of glacial Lake Agassiz), the predominant soils are wet, poorly drained and clayey--making them prone to rutting. Wetland complexes often span across large geographically areas. Other unique natural resource features in this Subsection include:

1. Portion of the Lost Lake Peatland SNA "Watershed Protection Area"
2. Raised Bog with unique plant community (i.e. S4 and S5 "community ranking", and the largest "high quality ranking" bog in Northeast Minnesota).
3. Sand Creek is a designated trout stream and is home to a native brook trout population. Sand Creek has extensive groundwater discharge areas with associated rare plant communities (e.g., S1 "community ranking", Western Jacob's Ladder, and other plants).
4. The Sturgeon River has highly erodible stream banks. Special concern species such as lake sturgeon, northern brook lamprey, and several mussel species could be adversely affected if rutting and erosion were to result in excess silting of the river.

**Nashwauk Uplands Subsection:** This Subsection is located predominantly on the southern portion of the SRSF, and unlike the Lake Vermilion Uplands Subsection to the north, this landform contains numerous lakes. The Sturgeon River flows to the Littlefork River, to the Rainy River, and in to Lake of the Woods (Littlefork River Major Watershed). Approximately 12 un-named very small lakes and 17 larger lakes are within the SRSF boundary. Perhaps the most important of these lakes recreationally are the Sturgeon Chain-of-Lakes near Side Lake, Minnesota.

The landforms in the Nashwauk Subsection are from predominantly glacial moraines and outwash plains; consequently, soils tend to be well drained (a mix of sandy to the west but gravelly and rocky to the east). Rutting and erosion could be less of a problem than in other landforms of the SRSF. Wetlands are often small and geographically isolated in these hilly glacial moraine landforms. Other unique natural resource features in this Subsection include:

- 1) Angora Creek, a designated trout stream, has no native brook trout population. Needs to be stocked to maintain the trout population.
- 2) Pickeral Lake, a designated trout lake.
- 3) McCarthy Beach State Park near Big Sturgeon and Side Lakes.
- 4) The Snake Trail is an important access to large parcels of undeveloped public land

### **Border Lakes Subsection:** (extreme NE corner of SRSF)

This subsection includes only part one lake--- Frazer Bay in the SW corner of Lake Vermilion---approximately 250 acres of open water. The Border Lakes Subsection has rugged topography with a very thin rocky soil layer (i.e., glacial drift) over bedrock and with numerous exposed bedrock outcrops. Vermilion Lake outlets to the Vermilion River, Crane Lake, Namakan Reservoir, Kettle Falls, Rainy Lake, Rainy River and in to Lake of the Woods (Rainy Lake Major Watershed Unit).

### **General Forest Community Description**

Upland forest communities include: aspen, birch, balsam fir, white spruce, white pine, red pine, and jack pine; northern hardwoods (sugar maple, basswood, red oak, paper birch, and yellow birch), and some upland white cedar. Wet forest communities are common between uplands and wetlands, and in gentle depressions on upland flats. These forest communities often contain a mixed canopy containing aspen, birch, spruce, black ash, red maple, fir, and basswood.

Wetland communities are both forested and non-forested. They include cedar swamp, black ash swamp, black spruce swamp, tamarack swamp, black spruce bog, open bog, poor fen, rich fen, alder swamp, wet meadow/carr, and cattail marsh. Beaver-influenced wetlands are a common feature along smaller flowages.

### **Surface Waters**

Numerous streams and flowages occur within the SRSF, including many designated trout streams and their tributaries. Major flowages include the Little Fork, Shannon and Sturgeon Rivers. All of the streams and rivers within the forest have substantial undeveloped shoreline and minimally developed local watersheds.

Larger lakes within the SRSF include Frazer Bay of Lake Vermilion, Sturgeon Lake, Perch Lake and Side Lake. Numerous medium and small-sized lakes and small, wetland interior "bog lakes" dot the forest.

### **Recreational Assessment**

Outdoor recreation facilities within the Sturgeon River State Forest include McCarthy Beach State Park, portions of the Taconite and Arrowhead State Trails, a portion of the Lost Lake Peatland Scientific and Natural Area (SNA), the Superior National Forest, several Grant-in-Aid (GIA) snowmobile trails, and a variety of state forest trails.

**McCarthy Beach State Park** (2,311 acres) is located near Sturgeon Lake and Side Lake. Facilities within the park boundary includes 59 semi-modern campsites (17 with electricity), 30 rustic campsites, a group camp on Sturgeon Lake, 18 miles of hiking trails, 12 miles of horseback trails, nine miles of cross-country ski trails, picnic and shelter on Sturgeon Lake, boat docks and fishing pier as well as part of the Taconite State Trail. Motor vehicle trails within the state park boundary are prohibited, except for snowmobile trails.

The **Taconite State Trail** traverses the Sturgeon River State Forest and is a multipurpose trail that spans approximately 163 miles from Grand Rapids to Ely. Primary uses of the trail are snowmobiling in the winter and hiking, mountain biking and portions usable for horseback riding during the summer. Approximately 14 miles of the trail is located within the state forest boundary.

The **Arrowhead State Trail** crosses the northeast portion of the Sturgeon River State Forest and is a multipurpose trail that runs 135-miles from International Falls to Tower. The primary use of this trail is snowmobiling, with hiking, mountain biking, and portions usable for horseback riding during the summer. Approximately seven miles of the trail is located within the forest boundary.

The **Lost Lake Peatland SNA** is located to the east of the Sturgeon River State Forest, with a portion of the designated SNA (approximately 260 acres) occurring within the forest boundary. This SNA, situated in the Littlefork-Vermilion Uplands, forms a link between the western peatlands of the Agassiz Lowlands and the northeastern Minnesota peatlands of Sand Lake. It demonstrates the transition between these two different peatland systems. Motor vehicles are prohibited, except snowmobiles on signed trails.

The **Superior National Forest** boundary overlaps with the Sturgeon River State Forest boundary and Forest Service lands are scattered along with state and county lands. Superior National Forest's Big Aspen ATV Trails are just southeast of the Sturgeon River State Forest boundary. The non-motorized Boundary Waters Canoe Area (BWCA) is just northeast of the Sturgeon River State Forest. The Forest Service administers several cross-country ski and hiking trail systems near the Sturgeon River State Forest.

Several **Grant-in-Aid (GIA) and Unit Snowmobile Trails** occur in the Sturgeon River State Forest. They include the Wolf Track Trail, Bearskin Trail, Tim Corey Trail, Chisholm/Side Lake Trail, and Lawron-Day Brook Trail.

**Other Recreation Opportunities.** St. Louis County is home to 5 State Parks (9,839 acres), 7 SNAs (7,918 acres), and 16 WMAs (6,606 acres). About 325,234 acres of the 1,096,187 acre federal BWCAW are also located in St. Louis County. The BWCAW includes 31,284 acres of DNR forest lands in St. Louis County, including all or portions of the Burntside, Bear Island, Kabetogama and Lake Jeanette State Forests. State lands within the BWCAW are closed to motor vehicle use.

The 539,067 acres of US Forest Service administered lands outside the BWCAW in St. Louis County do provide a number of miles of roads and trails currently open to OHV use. The Superior National Forest is currently developing a comprehensive Travel Management Plan for vehicular use of the forest. Cross-country OHV travel on State and Federal lands outside the BWCAW is generally prohibited, except on state lands pursuant to *MS Chapt. 84.926* (seasonal hunting trapping exceptions).

## Forest Access Route Inventory

**2003 Inventory.** The forest access route (e.g., roads and trails) inventory was updated in 2003. The new access route inventory was intended to accurately depict all routes showing evidence of ongoing human use, with a particular focus on motorized vehicle use. The 2003 inventory showed a total of 179.1 miles of existing routes on state and county lands within the SRSF Planning Unit.

**Data Sources.** Existing road and trail maps were overlaid with various other data layers (e.g., wetlands, forest inventory data, rare natural features data, county data, etc.) to document and display previously inventoried routes. Field crews then located and collected new data on all unmapped forest access routes showing evidence of ongoing human use. Global Positioning System (GPS) equipment was used to record route locations and other attributes (e.g., width, condition class, apparent use, water and wetland crossings, etc). Aerial photo interpretation was used to supplement field data collection.

The 2003 access route inventory data was evaluated by the OHV Field Team using an Arc View tool developed specifically for this purpose. A map of all inventoried forest access routes (i.e., roads and trails) is available upon request from the DNR, and is incorporated into this plan by reference.

## Motor Vehicle Use Classification

The DNR classifies State Forest lands as *managed, limited, or closed* with respect to motor vehicle use (*MR Part 6100.1950*). The classifications are characterized as follows:

**Managed Forest Lands.** Forest roads and forest trails are open to recreational motor vehicle use unless posted closed. These forest lands are characterized by a low intensity of use by OHVs, a variety of motorized and non-motorized recreational opportunities, widely dispersed recreational use, and little competition among visitors for recreational use of the land. Signing and enforcement restrict motor vehicle use in sensitive resource areas and on non-motorized trails.

**Limited Forest Lands.** Forest roads are open to motor vehicles use unless posted closed. Forest trails are closed to motor vehicle use, except where designated and signed to permit specific motorized uses. These forests are characterized by moderate to high levels of motorized and non-motorized recreational use. It is necessary to designate OHV trails so that OHV use occurs only in suitable and sustainable locations.

**Closed Forest Lands.** Forest roads are open to motor vehicles licensed for highway use. No OHVs are permitted, except that OHVs may operate on frozen public waters (e.g., across lakes for ice fishing). These lands are

characterized by high susceptibility to damage by recreational motor vehicle use or have a history that precludes motorized use. Areas closed to motor vehicle use by statute or regulation (e.g., State Forest lands within the BWCAW are summarily classified as 'closed.')

**Forest Land Classification.** All state forest lands within the Sturgeon River State Forest, and scattered state lands outside the forest, are currently classified as 'managed'. State lands within the BWCAW are 'closed' to motor vehicle use, and will remain so under this plan. The plan retains the 'managed' classification for all state forest lands located within the statutory boundaries of the SRSF, except for those lands located inside the statutory boundary of the Superior National Forest (total of 23,490 acres or 39% of the state lands located within the forest). State lands inside the proclamation boundaries of the Superior National Forest will be reclassified as 'limited', as per motor vehicle use. Scattered lands immediately outside the forest will retain their 'managed' classification. Classification decisions were based upon the department's analysis of the eight criteria contained in *MR Part 6100.1950, Subp. 1-4* which guide the classification of state forest lands for motor vehicle use.

### **Closed Classification - 'Sand Creek Tributaries'**

Three areas totaling 24,603 (gross) acres in the Sturgeon River State Forest were originally proposed for motor use limitations pursuant to *MS Chap. 84.926, Subd. 5*. This has been pared to a recommended 'closed' classification for just the Sand Creek Tributaries site. This is a 9,033 acre site which includes 7,583 acres of DNR forest land and 1,450 acres of St. Louis Co. lands. The team has suggested that existing hunter walking trails and water crossings be improved in the area, and that future non-motor trail designations be considered. The site contains the headwater tributaries of Sand Creek, which is a designated trout stream. Cooperators concur with this 'closed' motor vehicle classification recommendation.

The 'closed' classification means that no OHV use of the area will be permitted – even on State Forest Roads. The hunter / trapper exceptions of *MN Stat. Chap. 84.926* will also not apply in this area. HLVs may use state forest roads in the area posted open to vehicle use, and snowmobile use will be unaffected.

All trail access and entry points, and the area boundaries themselves, will be clearly mapped and posted to inform forest users of vehicle use restrictions. Designated State Forest Roads or trails within this area will remain open to vehicle use, subject to the prohibitions on off-trail travel, and pursuant to any temporary road closures or seasonal road-use restrictions. However, vehicle use of any unsigned or undesignated routes in the areas will not be permitted at any time.

Although St. Louis County intends to manage their lands similarly, this prohibition will apply only to state forest lands within the specified area, unless St. Louis county takes action to impose similar restrictions on county lands in the area. Any future road or trail development proposals through the Sand Creek Tributaries Area will be evaluated carefully, recognizing that vehicular use may be inconsistent with the management objectives that prompted this special designation.

**Lands Affected.** Forest land classification and route designations apply to all state forest lands within the Planning Unit, both inside and outside of state forest boundaries, but only for those county lands located inside the forest. This plan does not address private lands located within the forest, or lands located within public road rights-of-way. Under state law, county forest lands within the SRSF will be managed similarly to state forest lands upon the effective date of this plan, unless the St. Louis County Board of Commissioners adopts a formal resolution or ordinance that specifies a different management approach for these lands.

**Evaluation Criteria.** This forest classification judgment is based upon the department's analysis of the eight criteria contained in *MR Part 6100.1950, Subp. 1-4* which guide the classification of forest lands for motor vehicle use. The team's analysis of these eight criteria, labeled A-H, is as follows:

#### **A. Resource Sensitivity and Management Objectives**

Management objectives for the Sturgeon River forest include timber production, resource protection and wildlife habitat improvement, and providing a mix of outdoor recreation opportunities. Subsection Forest Resource Management Plans for the area (still under development) also specify goals pertaining to biological diversity, improved forest spatial patterns, and quality forest recreation.

Sensitive natural resources within the Sturgeon River State Forest, including major wetlands, including large, unfragmented bogs, rare plant and animal communities, are among the resources most affected by motor vehicle use. Many high-quality native plant communities and sites of Statewide Biodiversity Significance have also been identified. Three designated trout streams also occur wholly or partially within the forest.

The Sturgeon River State Forest contains a mixture of uplands and wetlands. Some of the upland area is comprised of sensitive soils that compact readily and become easily rutted. Other upland soils are sandy and well drained. Sensitive native plant communities and species and sensitive animal species occur across the forest. Some areas within the forest have been noted for their significance for biodiversity. These sites include rare features (plants and animals), large, relatively unfragmented bogs and other plant communities, and habitat for boreal bird species.

As visitor numbers grow, it is increasingly important to regulate and control vehicular use of the forest to avoid unintentional damage to sensitive resources. Consistency in public land management rules and regulations is critical to fostering public understanding and compliance. The DNR's *'managed'* classification mirrors that of the St. Louis County Land Department, and the DNR's *'limited'* classification is most closely aligned with the USFS' travel management policy. The team sought, to the extent possible, to ensure consistent and enforceable regulations across public forest land ownerships across the planning unit.

### ***B. Resource Impact by Motorized and Non-Motorized Use***

All recreational trails, motorized or non-motorized, can impact natural resources during their construction, maintenance and use. Impacts vary by type of use, use season, soil type, slope and drainage, trail design and other factors. Trail users commonly trample vegetation and compact soils along naturally-surfaced trail treadways, and can introduce non-native plant seeds and spores into uninfested areas. Soil compaction, rutting (resulting in root mass disturbance and reduced forest productivity), and soil displacement are often more pronounced along and immediately adjacent to vehicular trails, requiring regular maintenance of trail surfaces and trail drainage structures.

Trail users can also impact wildlife populations, both directly and indirectly. Some wildlife may avoid habitat near trails, while improved hunter access may increase hunting pressure leading to reduced wildlife population levels. Trail routes, many originally developed for timber extraction, may fragment habitat types or be unsuited to continued trail use. The type and extent of site-specific impacts varies by activity, by species and by season.

The department concluded that the majority of existing inventoried routes in the SRSF could sustain continued vehicular use. Those that cannot were closed, or designated for non-motor use only. This includes approx. 40 miles of roads and trails (on state lands) closed to protect sensitive lands and other resources. Another 26 miles of non-motor trails were also designated under this plan. The team feels that future resource impacts can be avoided, minimized and substantially reduced from current levels given these changes.

### ***C. Motorized and Non-Motorized Recreational Opportunity in Area***

The Sturgeon River State Forest is one of eight state forests in St. Louis County. Opportunities for public recreation, both motorized and non-motorized, abound on federal, state and county forest lands. The Superior National Forest's Big Aspen ATV Trails near Britt, and the DNR's Iron Range Off-Highway Vehicle Recreation Area near Gilbert are both located in St. Louis County. The Moose Walk / Moose Run ATV Trail is located just east in Lake County.

The USFS administers the non-motorized Boundary Waters Canoe Area (BWCA) which is just northeast of the forest. The forest service also administers several cross-country ski and hiking trail systems within and near the forest. Nearby McCarthy Beach, Bear Head Lake and Tower-Soudan State Parks also offer non-motorized recreation opportunities. Continued access, for a mix of outdoor recreational activities, was a key factor in the department's decision to retain the *'managed'* classification for the majority of Sturgeon River State Forest.

The Taconite and Arrowhead State Trails traverse portions of the forest. These are primarily snowmobile trails with some limited summer uses including hiking, mountain biking and horseback riding. Under this plan, no additional miles

of snowmobile trail will be designated. Snowmobile use in the forest will be largely unaffected by the forest classification changes or route designations contained in this plan.

Final orders implementing this plan designate 12.7 miles of state OHV Trails. This trail system will be open to HLV, ORV, ATV and OHM use. To complete this recreational trail system, 4.7 miles of the Taconite State Trail will be eventually be designated for motorized use. This, however, will require a separate forest road designation and an amendment to the existing Taconite State Trail Master Plan. These steps will occur separately from the implementation of this plan. One mile of new construction may still be required in order to make key trail connections.

#### **D. User Needs, Such as Trails, Parking, Signs, and Access**

There will be little or no change in already designated trails, roads, or parking areas as a result of this plan. Some additional signage will be required at parking areas, along forest roads, and along the perimeter of the Sand Creek Tributaries 'closed' area. The signs will inform users of vehicle use restrictions or other implications regarding their use of the forest.

Snowmobiles and non-motorized trail users will be largely unaffected by forest classification. Off-highway vehicle access, on the other hand, will change due to route closures, and reclassification of portions of the forest as 'limited' and 'closed' to motor vehicles. Changes will be mapped and posted in the forest along affected trails.

In addition to being a major landowner in the SRSF, St. Louis County administers 12 private cabin leases in within the boundaries of the SRSF. It is important to assure continued vehicular access to these cabin lease sites, while protecting sensitive and high-value natural resources. The DNR believes that both of these objectives can be met under either the 'managed' or 'limited' forest classifications.

#### **E. Degree and Trend of Motor Vehicle Use in the Area**

Off-highway Vehicle use has increased in recent years, even though there are currently no designated OHV trails in the Sturgeon River State Forest. ATVs are the most commonly used OHV in the forest. The majority of the use seems to be by local hunters (those who live in or near the forest) who enter the forest from public roads, private lands or from recreational cabin lease sites.

Traffic levels should not be significantly affected by forest classification or the designation of existing routes. Those who currently use OHVs in the Sturgeon River Forest on roads, designated trails or non-designated routes may continue to do so under a 'managed' classification, except where routes are posted closed. Summer season utilitarian use (e.g., mushroom & berry picking, fuelwood harvest) may also continue as before in the 'managed' forest – but only on designated routes in the 'limited' forest'. Off-trail vehicle use, except for that pursuant to MS 84.926 (big game hunting or furbearer trapping), is illegal and will remain so under this plan.

In the publication "2004 Outdoor Recreation Participation Survey of Minnesotans" [MN DNR, 2005], MN DNR projects a massive increase in off-road ATV driving over the 10-year period of 2004-2014. According to this study, while other outdoor activities are expected to remain stable or experience participation declines, ATV riding is expected to increase dramatically due to the steady, rapid growth of off-roading over the past decade. Although it is unclear how long this trend will continue, substantially increased demand for OHV trail opportunities can be expected in coming years. The 'managed' or 'limited' forest classifications will allow for future OHV trail development in response to demonstrated user needs.

#### **F. Degree and Trend of Non-Motor Use in the Area**

Side Lake is the most densely populated area in the forest where trail density and OHV use appear to be heaviest. Steady growth in the use of OHVs in the forest is expected. Most existing motorized access routes will be maintained, under this plan, except for those judged unsafe or unsustainable by the planning team (including the former links between Side & Perch Lakes in French Township).

Demand for non-motorized trails is expected to continue at roughly current levels. Non-motorized forest users, may continue to use most any inventoried forest access route, except those posted as 'closed' to all public use. Another

26.0 miles of hunter walking trail were also added under this plan. The intent is to provide additional non-motorized hunting opportunities for those who prefer a quieter, non-mechanized hunting experience.

### **G. Competing Interests among Different User Groups**

There exists a broad diversity of opinions and expectations related to public use of public lands. Conflicts can and do occur. Given the limited size and irregular pattern of state land ownership, it is impossible to completely separate motorized and non-motorized forest users. It is equally clear that there is no public land allocation strategy likely to satisfy all interests. Although some level of conflict or annoyance is inevitable, the DNR believes that this is a balanced and equitable plan that serves all recreational interests.

The desire to minimize user conflict by physically separating conflicting uses was, in large part, the impetus for reclassifying the Sand Creek Tributaries (over 9,000 acres) as 'closed' to motor vehicle use. By creating this sizable non-motor area, by reclassifying 40% of the forest as 'limited', and by adding both new motorized and non-motorized trails, this plan seeks to balance the needs of both motorized and non-motorized forest users.

### **H. Public Safety and Law Enforcement Concerns**

This plan is an important first step towards attaining '*managed use of managed trails*'. It recommends a series of actions, including route closures and non-motor trail designations, in order to better control motorized access within the forest. By concentrating motorized use on fewer, more sustainable routes, and by establishing areas with vehicle use restrictions, the DNR believes that resource protection and public safety can be substantially improved. Active trail monitoring and stepped-up field enforcement will ensure that trail conditions and user compliance are maintained at expected levels.

## **Final Forest Road & Trail Designations [Tables 4 & 5]**

The planning team evaluated all inventoried forest access routes and recommended that they be designated as a road or trail, be closed to future use, or that the route remain '*non-designated*'. For existing designated roads and trails, the presumption was that the current designation and uses would be maintained, unless there was a compelling reason to change or modify use. Under the '*managed*' classification, all routes not designated as forest roads or recreational trails will remain open to vehicular use, subject to state land prohibitions on rutting, erosion and damage to vegetation. In 'limited' portions of the forest, however, all unsigned routes are '*closed unless posted open*' to vehicle use.

## **State Forest Roads**

Various state statutes and rules govern the designation and use of State Forest Roads. Key passages include:

1. "State forest road" means a road constructed, acquired, maintained, or administered by the commissioner for the purpose of carrying out forest resource management ..." (*MN Statutes 89.001, Subd. 14*)
2. "The commissioner shall provide a system of forest roads and trails which provides access to state forest land ..." (*MN Statutes 89.002, Subd. 3*)
3. "... the commissioner is not a road authority under chapters 160 to 168, and chapters 160 to 168 do not apply to forest roads ..." (*MN Statutes 89.71, Subd. 7*)
4. "The commissioner may designate a state forest road as a minimum-maintenance forest road to be maintained at a level consistent with the intended use.." (*MN Statutes 89.71, Subd. 5*)

The DNR divides State Forest Roads into two classes – System Forest Roads (SFRs) and Minimum Maintenance Roads (MMRs) – based on their condition, intended use and planned maintenance level. State Forest Roads are generally open to use by both highway-licensed vehicles and off-highway vehicles (ATVs, OHMs, and ORVs). However, roads may be temporarily closed, at any time, to some or all vehicular use due to public safety and/or natural resource protection considerations. Minimum maintenance roads are more likely to be subjected to travel restrictions than are higher standard system forest roads.

**System Forest Roads** (SFRs) are the major roads in the forest that provide forest management access, recreational access, and links to state, county, or township public roads. System roads are used on a daily or weekly basis, and are

graveled and maintained to allow travel by highway-licensed vehicles. System roads are typically open to all motor vehicles, including OHVs, but may be closed seasonally or temporarily to address specific road or fire conditions. State Forest Roads are, by definition, not regular public roads. They are principally intended to serve state forest management and protection needs, and they do not provide legal access to private property. Final orders implementing this plan designate 13.3 miles of DNR System Forest Roads inside the SRSF.

**Minimum Maintenance Roads** (MMRs) are forest management access roads used on an intermittent basis. Recreational users may use them, but they are not promoted or maintained for recreational use. MMRs will be graded and gravelled as needed for forest management purposes, but may not always be usable by low-clearance vehicles. MMRs are signed and may be gated and/or closed during certain times of the year. Final orders implementing this plan designate 14.6 miles of DNR-administered MMRs inside the SRSF, and 0.3 miles outside the forest.

**Table 4. Final Forest Road and Trail Designation Summary for the Sturgeon River State Forest Planning Unit, State and County Lands St. Louis County, Minnesota**

Source: Forest Access Route Unpublished Data, 2007. DNR DRS. Generated using ArcView extension.

Proposed Route Designations	Sturgeon River State Forest (miles)		Lands Outside State Forest (miles)		State / County Totals (miles)		
Inventoried Routes	<del>159.2</del> 173.8		<del>49.9</del> 20.5		<del>179.1</del> 194.3		
System Forest Road	46.6	13.9	0.0		46.6	13.9	
Min. Maint. Forest Road	24.3	28.7	0.3		24.6	29.0	
Non-designated Routes		91.8		8.8		400.6	
Proactive Closures	<del>20.6</del> 42.4	112.1	4.1	5.0	11.0	24.7	47.4
In closed forests							
In limited forests	21.9		0.0			21.9	
In managed forest	<del>71.2</del> 47.8		4.7	6.0		<del>75.9</del> 53.8	
ATV / OHM / ORV Trail	24.8	24.4	0.0		24.8	24.4	
Snowmobile Trail	<del>7.3</del> 0.0		0.0		<del>7.3</del> 0.0		
Non-motorized Trails	<del>19.2</del> 19.1		<del>10.8</del> 9.2		<del>30.0</del> 28.3		
<b>RED</b> denotes changes to draft plan.							

### Recreational Trail Designations

**Off-highway Vehicle (OHV) Trails.** Final orders implementing this plan designate 12.7 miles of OHV Trails. This trail system will also be opened to HLV, ORV, ATV and OHM. To complete this recreational trail system, 4.7 miles of the Taconite State Trail will eventually be opened to motorized use. This, however, will require a separate forest road designation and an amendment to the Taconite Trail Master Plan. These steps will occur separately from the implementation of this plan. One mile of new trail construction may also be required in order to make key connections between existing route segments.



**Snowmobile.** Final orders implementing this plan do not designate any snowmobile trail miles within, or immediately outside of the boundaries of the Sturgeon River State Forest.

**Non-motorized.** Final orders implementing this plan designate 17.3 miles of DNR hunter walking trails inside the SRSF and 9.2 miles outside the forest. Most of these routes have a history of such use. Non-motorized trail users (e.g., hikers, horseback riders, cross-country skiers, snowshoers, mountain bikers) may also use forest roads, trails, and most non-designated routes in the forest.

**Proactive Route Closures** Implementation of this plan will result in the permanent closure of 40.2 miles of inventoried routes. The Planning Team deemed these routes 'unsustainable' for vehicular use. The routes are located both inside (35.2 mi.) and outside (5.0 mi.) of state forest boundaries. These routes will be gated, bermed, signed 'closed' and, in some cases, revegetated to discourage illegal vehicular use.

**Forest Access Routes.** About 21.7 miles of 'forest access routes' will remain non-designated under this plan. These are former logging roads, skid trails, abandoned snowmobile trails, or other historic travel routes. Some may be user created, often to access private property or hunting areas. They generally receive limited use and may dead end. They are unsigned and will not be regularly maintained. Under the managed forest classification, it is legal to operate all types of motor vehicles (e.g., HLV, ORV, ATV, OHM) on forest access routes subject to state land prohibitions on causing erosion, rutting, or damage to trees or growing crops. If damage occurs or use of the routes becomes problematic, they may be closed to motorized use.

**Table 5. Final Forest Road and Trail Designation Summary for the Sturgeon River State Forest Planning Unit – State Lands Only St. Louis County, Minnesota**

Source: Forest Access Route Unpublished Data, Sept. 2008. DNR DRS. Generated using ArcView extension.

Proposed State Land Route Designations	Lands Inside State Forest (miles)		Lands Outside State Forest (miles)		State Land Totals (miles)				
	Current	Proposed	Current	Proposed	Current	Proposed			
Inventoried Routes	96.7	111.9	49.9	20.5	146.6	132.4			
System Forest Road	43.4	13.3	0.0		43.4	13.3			
Min. Maintenance Forest Road	42.4	14.6	0.3		42.7	14.9			
Non-designated Routes		47.8		8.8		56.6			
Proactive Closures	44.2	35.2	66.7	4.4	5.0	11.0	48.3	40.2	7.7
In closed forests									
In limited forests	15.8		0.0				15.8		
In managed forest ( <i>Access Routes</i> )	33.6	15.7	4.7	6.0	38.3	21.7			
OHV Trail/SFR Dual-Designation	42.9	12.7	0.0		42.9	12.7			
Snowmobile Trail	5.5	0.0	0.0		5.5	0.0			
Hunter Walking Trails	47.9	17.3	40.8	9.2	28.7	26.5			
RED denotes changes to draft proposal.									

## **Taconite State Trail – Master Plan Amendment.**

**Background.** The Taconite State Trail is developed for approximately 163 miles from Grand Rapids to Ely. Four miles from Grand Rapids to Coleraine (TH 38) are paved asphalt for bicycling and in-line skating, as well as hiking/walking and snowmobiling. The remaining 159 miles consists of a natural surface, primarily used for snowmobiling in the winter. Trail use is heaviest in winter. Some portions of the trail are suitable for horseback riding, hiking/walking, and mountain biking, but other areas cross have standing water in the summer.

The Taconite State Trail crosses the Chippewa and Superior National Forests, and George Washington, Sturgeon River, and Bear Island State Forests. The trail also crosses or connects to McCarthy Beach, Soudan Underground Mine, and Bear Head Lake State Parks. The Taconite State Trail crosses a mixture of federal, state, county tax-forfeit and private land ownerships. The DNR has agreements, leases or easements for portions of trail not located on state-owned land.

**Master Plan (1981).** The Master Plan for the Taconite State Trail specifies that allowable trail uses include snowmobiling, bicycling, in-line skating, hiking/walking, horseback riding, and mountain biking. Off-highway vehicle use is not currently permitted along any portion of the trail. Summer use of the Taconite Trail is reportedly frequent, but not heavy. Typical summer users are hiking/walking – including with pets, horseback riding or mountain biking. Although no OHV use is allowed, unauthorized motorized use has been reported along portions of the trail.

**Amendment Scope and Intent.** The Master Plan for the Taconite State Trail will be amended to allow for the use of off-highway vehicles (OHV) and highway licensed vehicles (HLV) on portions of the trail, for a total of 4.7 miles, located entirely within the Sturgeon River State Forest. One segment is located north of McCarthy Beach State Park (T61N R21W, Sect. 31 and T61N R22W, Sec 1) and the other segment is located south and east of McCarthy Beach State Park (T60N R21W, Sec 9, 10, 13, 14, 15 & 23). No OHV use is proposed within the state park boundary. The existing trail corridor will not require modification to accommodate OHV/HLV use, nor will snowmobile use be affected by this pending change. A seasonal closure affecting motor vehicles (OHV and HLV) will be imposed for those portions of the route that share an alignment with the state snowmobile trail.

The identified segments of the Taconite State Trail are critical to providing a meaningful recreational riding experience within the Sturgeon River State Forest. These segments also provide potential future connections to additional OHV routes in adjacent state forests. Adding ATV / HLV use on portions of the Taconite State Trail will allow the larger trail system in the Sturgeon River State Forest to function more effectively. It will distribute use and help satisfy local demand for more OHV trail miles, while helping to reduce illegal vehicle operation within the forest.

**Amendment Process.** Amendment of the *1981 Master Plan for the Taconite State Trail* will be done subsequent to this process as per *MN Statutes, Chap.86A.09*. Public notice and review requirements were fulfilled coincident with this planning process, but changes to the Master Plan will be handled separately. Summary statistics, in this plan, do not include those portions of the trail that the team recommends be later designated for motorized uses pursuant to this, and the Master Plan Amendment process.

## **Plan Adoption & Implementation**

Following the close of the 60-day public review period, the Planning Team compiled, synthesized and evaluated comments received. The DNR's official response to comments and resulting changes to the final plan have been summarized in this and other documents available for public inspection.. Final forest classification and route designation decisions are implemented via a series of Commissioner's Orders which will be published in the *Minnesota State Register*. All final plans, maps, decision documents and orders are posted at [www.mndnr.gov](http://www.mndnr.gov).

## **Road & Trail Designation Map**

All routes discussed in this plan, and planned for designation or closure, are depicted on the official '*Forest Road / Trail Designation Plan Map*', which is available for download at [www.mndnr.gov](http://www.mndnr.gov) or at [www.findthetrails.com](http://www.findthetrails.com). This map is hereby incorporated into this plan by reference.

### ***Road Signing Projects***

After the Commissioner's orders are published, but before their effective dates, the DNR will implement this plan by signing roads, trails, parking and staging areas, and major entry points to forest lands informing users of the forest classification and implications for motor vehicle use. Signs identifying designated forest roads, and clarifying motor vehicle use regulations on designated forest roads, will also be conspicuously posted throughout the forest.

### ***Plan Effective Date***

The effective date for this plan to reclassify the Sturgeon River State Forest, and for the designation of roads, trails and areas with motor vehicle limitations, is December 31, 2009. This date appears on the final signed Commissioner's Orders which will be published in the State Register and posted at [www.mndnr.gov](http://www.mndnr.gov).

# **APPENDIX A**

## **Minnesota Statutes & Rules Related to State Forest Classification & Off-Highway Vehicle Operations**

**Laws of MN 2003, Chap. 128, Article 1, Sect. 167, as amended by M.L. 2005, 1<sup>st</sup> Special Session, Chapter 1, Article 2, Sect. 152, and by ML 2007, Ch. 57, Sec. 155.**

### **Subdivision 1. Forest classification status review.**

(a) By December 31, 2006, the commissioner of natural resources shall complete a review of the forest classification status of all state forests classified as managed or limited, all forest lands under the authority of the commissioner as defined in Minnesota Statutes, section 89.001, subdivision 13, and lands managed by the commissioner under Minnesota Statutes, section 282.011. The review must be conducted on a forest-by-forest and area-by-area basis in accordance with the process and criteria under Minnesota Rules, part 6100.1950. Except as provided in paragraph (d), after each forest is reviewed, the commissioner must change the status of the lands within each forest to limited or closed. The commissioner may classify portions of a limited forest as closed. The commissioner must also provide a similar status for each of the other areas subject to review under this section after each individual review is completed.

(b) If the commissioner determines on January 1, 2005, that the review required under this section cannot be completed by December 31, 2006, the completion date for the review shall be extended to December 31, 2008. By January 15, 2005, the commissioner shall report to the chairs of the legislative committees with jurisdiction over natural resources policy and finance regarding the status of the process required by this section..

(c) Until December 31, 2010, the state forests and areas subject to review under this section are exempt from Minnesota Statutes, section 84.777, unless an individual forest or area has been classified as limited or closed..

(d) Notwithstanding the restrictions in paragraph (a), and Minnesota Statutes, section 84.777, subdivision 1, all forest lands under the authority of the commissioner as defined in Minnesota Statutes, section 89.001, subdivision 13, and lands managed by the commissioner under Minnesota Statutes, section 282.011, that are north of U.S. Highway 2 shall maintain their present classification unless the commissioner reclassifies the lands under Minnesota Rules, part 6100.1950. The commissioner shall provide for seasonal trail closures when conditions warrant them. By December 31, 2008, the commissioner shall complete the review and designate trails on forest lands north of Highway 2 as provided in this section.

*History: 2003 c 128 art 1 s 21(as amended)*

### **Subdivision 2. Temporary Suspension of Environmental Review.**

The requirements for environmental review under Minnesota Statutes, section 116D.04, and rules of the environmental quality board are temporarily suspended for each reclassification and trail designation made under subdivision 1 until the commissioner has met all requirements under subdivision 1, or December 31, 2008, if the commissioner has failed to complete those requirements as required by law.

## **Chapter 84.773, Minnesota Statutes 2006**

### **84.773 RESTRICTIONS ON OPERATION.**

**Subdivision 1. Restrictions.** A person may not intentionally operate an off-highway vehicle:

- (1) on a trail on public land that is designated or signed for nonmotorized use only;
- (2) on restricted areas within public lands that are posted or where gates or other clearly visible structures are placed to prevent unauthorized motorized vehicle access;
- (3) except as specifically authorized by law or rule adopted by the commissioner, in unfrozen public waters, as defined in section [103G.005](#); in a state park; in a scientific and natural area; or in a wildlife management area; or
- (4) in a calcareous fen, as identified by the commissioner.

**Subd. 2. Wetland disturbance.** A person may not operate an off-highway vehicle in a manner to:

- (1) indicate a willful, wanton, or reckless disregard for the safety of persons or property;
- (2) carelessly upset the natural and ecological balance of a wetland or public waters wetland; or
- (3) impact a wetland or public waters wetland in excess of the amounts authorized in section [103G.2241, subdivision 9](#), unless: (i) sequencing of the impact is followed according to section [103G.222, subdivision 1](#), paragraph (b), and the

impact is repaired under section [103G.2242](#), and rules adopted pursuant to that section; or (ii) the activity is exempt under section [103G.2241](#).

**Subd. 3. Private land access.** The commissioner may grant up to a ten-year permit to exempt a private landowner or leaseholder from this section when the only reasonable access to a permit applicant's land is across state land.

*History:* 2003 c 128 art 1 s 19; 2004 c 255 s 6

## **Chapter 84.777, Minnesota Statutes 2007**

### **84.777 OFF-HIGHWAY VEHICLE USE OF STATE LANDS RESTRICTED.**

**Subd. 1. Designated trails.** (a) Except as otherwise allowed by law or rules adopted by the commissioner, effective June 1, 2003, notwithstanding sections 84.787 to 84.805 and 84.92 to 84.929, the use of off-highway vehicles is prohibited on state land administered by the commissioner of natural resources, and on county-administered forest land within the boundaries of a state forest, except on roads and trails specifically designated and posted by the commissioner for use by off-highway vehicles.

(b) Paragraph (a) does not apply to county-administered land within a state forest if the county board adopts a resolution that modifies restrictions on the use of off-highway vehicles on county-administered land within the forest.

**Subd. 2. Off-highway vehicle seasons.** (a) The commissioner shall prescribe seasons for off-highway vehicle use on state forest lands. Except for designated forest roads, a person must not operate an off-highway vehicle on state forest lands outside of the seasons prescribed under this paragraph.

(b) The commissioner may designate and post winter trails on state forest lands for use by off-highway vehicles.

(c) For the purposes of this subdivision, "state forest lands" means forest lands under the authority of the commissioner as defined in section 89.001, subdivision 13, and lands managed by the commissioner under section 282.011.

**Subd. 3. Mapped trails.** (a) Except as provided in sections 84.926 and 84.928, after completion of official department off-highway vehicle maps for the area, a person must not operate an off-highway vehicle on state land that is not mapped for the type of off-highway vehicle. This paragraph does not apply to state forest land north of U.S. Highway 2 until after June 30, 2009.

(b) This subdivision does not apply to a forest access route in a managed forest north of U.S. Highway 2 that the commissioner has not designated as a road or trail. Forest access routes will not be signed or maintained and will not be included on published user maps of the forest. Off-highway vehicle operation on forest access routes is subject to the prohibitions on causing erosion, rutting, damage to trees or crops, and construction of unauthorized trails contained in Minnesota Rules. Damaged routes are subject to closure to off-highway vehicle use.

**Subd. 4. Exemption from rulemaking.** Determinations of the commissioner under this section may be by written order published in the State Register and are exempt from the rulemaking provisions of chapter 14. Section 14.386 does not apply. *History:* 2003 c 128 art 1 s 21

## **Chapter 84.8045, Minnesota Statutes 2007,**

### **84.8045 RESTRICTIONS ON OFF-ROAD VEHICLE TRAILS.**

Notwithstanding any provision of sections 84.797 to 84.805 or other law to the contrary, the commissioner shall not permit land administered by the commissioner in Cass, Crow Wing, and Hubbard Counties to be used or developed for trails primarily for off-road vehicles as defined in section 84.797, subdivision 7, except:

- (1) upon approval by the legislature; or
- (2) in designated off-road vehicle use areas.

*History:* Minnesota Session Laws 2007, Ch. 57 Sec. 26.

## **Chapter 84.926, Minnesota Statutes 2007,**

### **84.926 VEHICLE USE ON PUBLIC LANDS; EXCEPTIONS.**

**Subdivision 1. Exception by permit.** Notwithstanding sections [84.773, subdivision 1](#), and [84.777](#), on a case by case basis, the commissioner may issue a permit authorizing a person to operate an off-highway vehicle on individual public trails under the commissioner's jurisdiction during specified times and for specified purposes.

**Subd. 2. All-terrain vehicles; managed or limited forests; off trail.** Notwithstanding section [84.777](#), but subject to the commissioner's authority under subdivision 5, on state forest lands classified as managed or limited, other than the Richard J. Dorer Memorial Hardwood Forest, a person may use an all-terrain vehicle off forest trails or forest roads when:

- (1) hunting big game or transporting or installing hunting stands during October, November, and December, when in possession of a valid big game hunting license;
- (2) retrieving big game in September, when in possession of a valid big game hunting license;
- (3) tending traps during an open trapping season for protected furbearers, when in possession of a valid trapping license;
- or (4) trapping minnows, when in possession of a valid minnow dealer, private fish hatchery, or aquatic farm license.

**Subd. 3. All-terrain vehicles; closed forests; hunting.** Notwithstanding section [84.777](#), the commissioner may determine whether all-terrain vehicles are allowed on specific forest roads, on state forest lands classified as closed, for the purpose of hunting big game during an open big game season. The determination shall be by written order as published in the State Register and is exempt from chapter 14. Section [14.386](#) does not apply.

**Subd. 4. Off-road and all-terrain vehicles; limited or managed forests; trails.**

Notwithstanding section [84.777](#), but subject to the commissioner's authority under subdivision 5, on state forest lands classified as limited or managed, other than the Richard J. Dorer Memorial Hardwood Forest, a person may use vehicles registered under chapter 168 or section [84.798](#) or [84.922, including class 2 all-terrain vehicles,](#) on forest trails that are not designated for a specific use when:

- (1) hunting big game or transporting or installing hunting stands during October, November, and December, when in possession of a valid big game hunting license;
- (2) retrieving big game in September, when in possession of a valid big game hunting license;
- (3) tending traps during an open trapping season for protected furbearers, when in possession of a valid trapping license; or
- (4) trapping minnows, when in possession of a valid minnow dealer, private fish hatchery, or aquatic farm license.

**Subd. 5. Limitations on off-trail and undesignated trail use.** The commissioner may designate areas on state forest lands that are not subject to the exceptions provided in subdivisions 2 and 4. Such designations are not subject to the rulemaking provisions of chapter 14 and section [14.386](#) does not apply. Before designating such areas, the commissioner shall hold a public meeting in the county where the largest portion of the forest lands are located to provide information to and receive comment from the public regarding the proposed designation. Sixty days before the public meeting, notice of the proposed designation shall be published in the legal newspapers that serve the counties in which the lands are located, in a statewide Department of Natural Resources news release, and in the State Register.

**Subd. 6. Operation; class 2 vehicles.** Except as provided in subdivision 4, operation of class 2 all-terrain vehicles on lands administered by the commissioner is limited to forest roads, minimum maintenance roads, and trails designated or signed for class 2 all-terrain vehicles.

**Subd. 7. Snowmobiles; closed forests; off trail.** Forests classified as closed forests are open to off-trail snowmobile use unless prohibited, as determined by the commissioner by written order published in the State Register. The determination is not subject to the rulemaking provisions of chapter 14 and section [14.386](#) does not apply.

*History:* 1984 c 647 s 5; 1986 c 444; 2003 c 128 art 1 s 31; 1Sp2005 c 1 art 2 s 45; 2006 c 281 art 2 s 6

## Minnesota Rules, Part 6100.1950

### MR 6100.1950 MOTOR VEHICLES AND SNOWMOBILES; FOREST LANDS.

**Subpart 1. Classified forest lands.** The operation of motor vehicles and snowmobiles on forest lands classified by the commissioner for purposes of motor vehicle use according to subpart 2 and Minnesota Statutes, section 89.002, is regulated according to items A to C.

A. On forest lands classified as managed, a person may operate a motor vehicle only on forest roads and forest trails that are not posted and designated closed and in areas that are posted and designated to allow motor vehicle use, subject to the limitations and exceptions in this part.

B. On forest lands classified as limited, a person may operate a motor vehicle only on forest roads that are not posted and designated closed and on forest trails or areas that are posted and designated to allow motor vehicle use, subject to the limitations and exceptions in this part.

C. No person shall operate a motor vehicle or snowmobile on forest lands classified as closed, unless on frozen public waters where operation is not otherwise prohibited. Motor vehicles that are licensed for use on public highways may be operated on forest roads that are not posted or gated closed. Snowmobiles may operate on designated trails.



**Subp. 2. Criteria for classification.** The following criteria shall be considered when classifying forest lands for motor vehicle use:

- A. resource sensitivity and management objectives;
- B. resource impact by motorized and nonmotorized use, including erosion, rutting, and impacts on vegetation, wildlife, air, water, or natural habitats;
- C. motorized and nonmotorized recreational opportunity in area;
- D. user needs, such as trails, parking, signs, and access;
- E. the degree and trend of motor vehicle use in the area;
- F. the degree and trend of nonmotor vehicle use in the area;
- G. competing interests among different user groups; and
- H. public safety and law enforcement concerns.

**Subp. 3. Notice and public meeting.** Before changing the classification of forest lands for motor vehicle use, the commissioner shall provide notice and a public meeting according to items A to C.

A.) A public meeting shall be held in the county where the largest portion of the forest lands are located to provide information to and receive comment from the public regarding the proposed classification change.

B.) Sixty days before the public meeting, notice of the proposed classification change shall be published in legal newspapers that serve the counties in which the lands are located and in a statewide Department of Natural Resources news release and in the State Register. The notice shall include a summary of the proposed action, a request for public comment, and notice of the public meeting.

C.) Twenty-one days before the public meeting, notice of the meeting shall be announced in a statewide Department of Natural Resources news release.

**Subp. 4. Commissioner's decision.** The commissioner shall make a decision about the proposed classification change after considering the criteria listed in subpart 2 and any public comment received and explaining how the nature and magnitude of the criteria and comments relate to the classification.

**Subp. 5. Nonmotorized trails.** No person shall operate a motor vehicle or snowmobile on forest lands on a designated nonmotorized trail, including ski, foot, horse, bike, or accessible trail, unless the trail is also posted open for a motorized use.

**History:** STAT AUTH: MS 14.045; 14.388; 84.03; 85.052; 85.053; 85.20; 86A.05; 86A.06; 89.031; 89.19 to 89.21; 89.71 HIST: 24 SR 208; 25 SR 782; 27 SR 27

## APPENDIX B

### Summary Tables – Final Plan

**Table 1. Summary of State & County Forest Land Ownership: Sturgeon River State Forest**

Source: Forest Access Route Unpublished Data, Nov. 2007. DNR DRS. Generated using ArcView extension.

State / County Forest Lands	DNR-Admin Lands (acres)	DNR Routes (miles)	St. Louis Co. Lands (acres)	St. Louis Co. Lands (miles)
Inside Sturgeon River SF	52,710	96.7	21,947	62.5
Outside State Forest	8,060	19.6	1,403	0.6
<b>Totals</b>	<b>60,770</b>	<b>116.3</b>	<b>23,350</b>	<b>63.1</b>

**Table 2. Final Forest Road and Trail Designation Summary for the Sturgeon River State Forest Planning Unit – State & County Lands  
St. Louis County, Minnesota**

Source: Forest Access Route Unpublished Data, Sept. 2008. DNR DRS. Generated using ArcView extension.

Proposed Route Designations	Sturgeon River State Forest (miles)		Lands Outside State Forest (miles)		State / County Totals (miles)	
Inventoried Routes	<del>159.2</del> 173.8		<del>19.9</del> 20.5		<del>179.1</del> 194.3	
System Forest Road	46.6	13.9	0.0		46.6	13.9
Min. Maint. Forest Road	24.3	28.7	0.3		24.6	29.0
Non-designated Routes		91.8		8.8		400.6
Proactive Closures	<del>20.6</del> 42.4	112.1	<del>4.1</del> 5.0	11.0	<del>24.7</del> 47.4	123.1
In closed forests						
In limited forests	21.9		0.0		21.9	
In managed forest	71.2	47.8	4.7	6.0	75.9	53.8
ATV / OHM / ORV Trail	24.8	24.4	0.0		24.8	24.4
Snowmobile Trail	7.3	0.0	0.0		7.3	0.0
Non-motorized Trails	19.2	19.1	10.8	9.2	30.0	28.3
<b>RED</b> denotes changes to draft plan.						



**Table 3. Final Forest Road and Trail Designation Summary for the  
Sturgeon River State Forest Planning Unit – State Lands Only  
St. Louis County, Minnesota**

Source: Forest Access Route Unpublished Data, Sept. 2008. DNR DRS. Generated using ArcView extension.

Proposed State Land Route Designations	Lands Inside State Forest (miles)		Lands Outside State Forest (miles)		State Land Totals (miles)	
Inventoried Routes	96.7	111.9	49.9	20.5	146.6	132.4
System Forest Road	43.4	13.3	0.0		43.4	13.3
Min. Maintenance Forest Road	42.4	14.6	0.3		42.7	14.9
Non-designated Routes		47.8		8.8		56.6
Proactive Closures	44.2	35.2	4.1	5.0	48.3	40.2
In closed forests		66.7		11.0		7.7
In limited forests	15.8		0.0		15.8	
In managed forest ( <i>Access Routes</i> )	33.6	15.7	4.7	6.0	38.3	21.7
OHV Trail/SFR Dual-Designation	42.9	12.7	0.0		42.9	12.7
Snowmobile Trail	5.5	0.0	0.0		5.5	0.0
Hunter Walking Trails	47.9	17.3	40.8	9.2	88.7	26.5
<b>RED</b> denotes changes to draft proposal.						

## APPENDIX C

### **Sand Creek Tributaries – ‘Closed’ Area**

**Sturgeon River State Forest  
St. Louis County, MN**

The Sturgeon River Planning Team recommended and the DNR Commissioner has approved a ‘closed’ classification for the parcel described below. This means that, effective December 31, 2009, Off-highway Vehicle (OHV) use will not be allowed within this area, even on existing roads or trails. Highway licensed vehicles may operate on roads posted open to their use, and snowmobile use will be unaffected. The hunter/trapper exceptions of *MS Chap. 84.926* will not apply within this area. trappers. There are no St. Louis county Cabin Lease Sites located within this area (See map) **Total (1 Site) = 9,033 Acres.**

#### **Sand Creek Tributaries T61N R20W and T21W**

- Size: 9,033 total acres. (7,583 DNR forestry, 1,450 St. Louis County Tax Forfeit)
- Ownership: Approx. 65% State, 15% St. Louis County tax-forfeited forest land, 10% Federal and 10% private land.
- Boundaries: Follows County and township roads, State highways, Township and Section lines and Sand Creek.
- Sensitive soils are subject to rutting.
- 6.0 miles of inventoried routes within the area may be used for hunter access via highway licensed vehicles – on ATV, OHM or ORV use will be permitted.
- Contains headwater tributaries of Sand Creek which is a designated trout stream and peatland swamps.
- Contains the Sand Creek Hunter Walking Trails. These will be improved and possibly expanded in the future.
- Adjacent to Mc Carthy Beach State Park.

