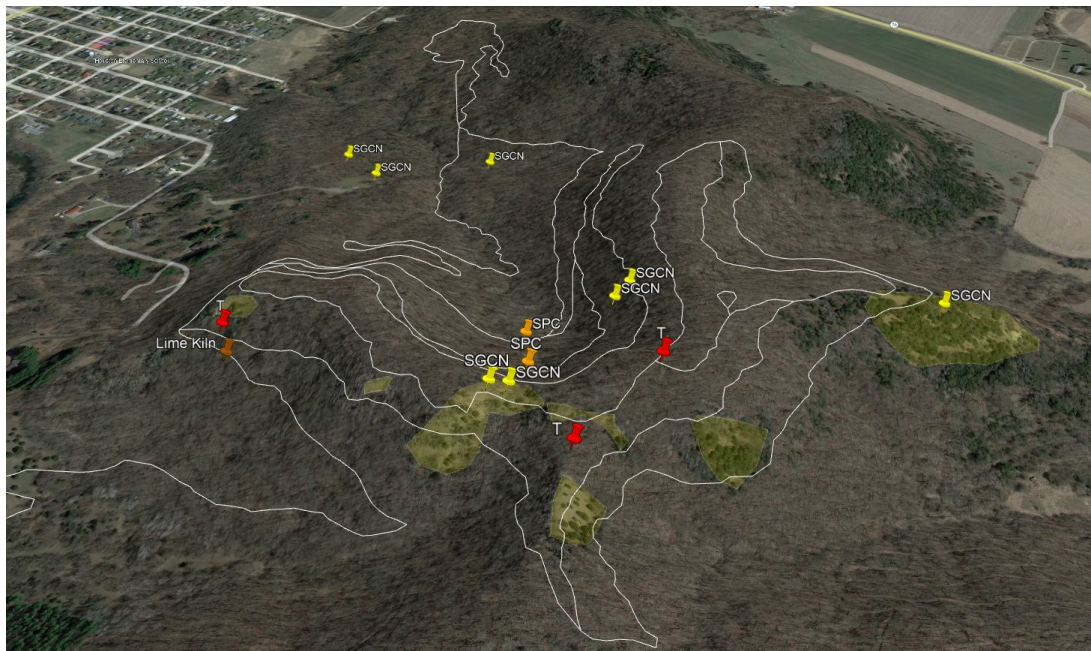


SF 1324 Rationale for requiring mandatory EAWs for all OHV projects other than minor re-routes

Currently, mandatory EAWs for OHV projects are only required for:

- New OHV areas of 80 acres on agricultural, naturally vegetated or forest land or 640 acres if the land is not agricultural, naturally vegetated or forested.
- New trails of over 25 miles long on naturally vegetated or forested land

There is no legal definition of “trail” vs. “area” so EAWs can be avoided for OHV areas where the total trail length is less than 25 miles by simply calling it a “trail.” For example, the proposed Houston OHV “Trail” (see map) is 7.5 miles of OHV trails on 200 acres of steep forested land with many rare species and habitats on highly erodible soils. Trail density is 4x higher than the Iron Range OHV “Area”. 120 acres were purchased with dedicated motorized vehicle funds, with deed restrictions that require it to ONLY be used for motorized vehicle trails. The DNR considers it a “trail” and thus determined no EAW is needed. (Each map pin indicates a known location of a threatened species, a special of special concern, or a species of greatest conservation need. Yellow shaded areas are rare dry bluff prairies.)



In 2003 there was a legislative audit of state funded trails for motorized recreation that concluded:

We believe that OHV trail projects should also be a mandatory category for three reasons. First, many projects in other “linear corridors” such as pipelines, transmission lines, and roads are already mandatory categories. Second, as we discussed earlier in this chapter, in many cases, OHV trails may have the potential for significant environmental impact. Third, OHVs are highly controversial and likely to be the subject of lawsuits as demonstrated by the OHV plans. Minnesota could avoid some future litigation and its associated costs and delays by requiring an EAW upfront and making environmental assessment more transparent to the public.

We are not necessarily recommending that all OHV projects receive a mandatory EAW. Projects that will likely have little environmental impact, such as a minor reroute of a designated trail, could be excluded from the mandatory EAW category.