

Testimony in Support for # SF 1324

Jeff Birchem

Hello, my name is Jeff Birchem. I am a retired Minnesota Conservation Officer for the Minnesota Department of Natural Resources' Enforcement Division.

For 25 of my 31 years in law-enforcement, the Beltrami Island State Forest (BISF) was in my patrol area. BISF is the second largest state forest in Minnesota, comprised of a little over 700,000 acres. It also neighbors the largest wildlife management area, Red Lake WMA, at over 300,000 acres. The two public land areas of over 1,000,000 acres spill over into three different counties: Lake of the Woods, Roseau, and Beltrami. And the headwaters of five different rivers are included in this vast area as well.

The BISF area is known to be vast and remote. But one of its most important attributes are the environmentally sensitive areas contained within it. An example of this are the seven Scientific and Natural Areas found there that protect wetlands, bogs, fens, as well as many rare and unique environmentally-sensitive species.

One of my duties as a Minnesota Conservation Officer, was to protect these environmentally-sensitive areas from illegal ATV and other off-road vehicle operation. ATV and off-road vehicle enforcement, at its best, was a difficult challenge. And, at its worst, impossible.

The major obstacle in enforcement efforts was the signage of roads and trails in the BISF where all trails and roads are deemed open unless posted with signs telling the user that they are closed. I've spent countless hours patrolling closed areas and assisting other DNR staff in putting up signs, only to find the signs removed. Without the presence of visible signs to the ATV user, enforcement action was impossible to protect these closed areas.

Another major concern with the "open unless posted closed" situation, is that many new ATV trails were started illegally. In a very short time of usage, a new trail would be developed, which now would be considered open under the open

unless post closed regulation. Many of these newly developed trails are open in some of the most environmentally sensitive areas.

My recommendation as an enforcement officer, who has worked for decades protecting environmentally-fragile areas from illegal motor vehicle use is to make all off-road vehicle trails closed to operation, unless posted open. That's what this proposed legislation does. This system would not only clear up confusion on where legal operators could operate, but also give the tools to enforcement officers to enforce illegal operation.