



SIERRA CLUB

NORTH STAR CHAPTER

Sierra Club North Star Chapter
2300 Myrtle Avenue, Suite 260
Saint Paul, MN 55114

Date: February 28, 2023

Regarding: SF 1324 - Legislation to sustainably manage motorized recreation on Minnesota public lands.

To: Committee Chair FOUNG Hawj, and members of the Environment, Climate and Legacy Committee

Sierra Club supports the commonsense legislation to sustainably manage motorized recreation on Minnesota public lands. And we urge the state legislature to support these long-overdue measures.

Founded in 1968, the Sierra Club North Star Chapter is a non-profit environmental organization representing over 50,000 members and supporters across Minnesota. The Sierra Club works to safeguard the health of our communities, protect wildlife, and preserve our remaining wild places through grassroots activism, public education, lobbying, and litigation. As a leading grassroots voice working to preserve and protect Minnesota's environment, we empower volunteer leaders to act through environmental advocacy, community organizing, and outdoor exploration. We participate in the administrative process to encourage environmental health and sustainability, long term wildlife and habitat protection, and biodiversity goals.

Because Off-Road Vehicle (ORV) use in Minnesota is increasing exponentially, the increase in damage to natural resources, sensitive habitats, and our precious wetlands, streams, lake shores and rivers has far reaching impacts to our land based and aquatic wildlife. This use has also caused increased conflicts with quiet use recreation and private landowner trespass. We also have concerns about the cumulative resource damage that is resulting from improper use of ORVs.

As land based motorized recreation continues to explode in Minnesota with millions of additional dollars appropriated recently for more trail creation and expansion, in addition the DNR has initiated a process to create 3 *Statewide Master Plans* for motorized trail systems: one each for All-Terrain Vehicles (ATVS), Off Road Vehicles (trucks and jeeps) and Off Highway Motorcycles.

It is imperative that we put in place the measures in this legislation before these Plans are final. There must be an equal focus on protecting our natural resources, wild and aquatic life and preserving quietude in nature. We need to help the Department of Natural Resources (DNR) recommit to its mission of being the protector of our great outdoors versus solely the promoter of extractive and high impact uses.

The legislation's goals are simple and straightforward and will not diminish the experience of the responsible user.

The legislative goals are:

- Signage -- Help riders know where they can go, protect the environment and sensitive habitats
- Water & Native Species -- Protect the most pristine ranked waters and aquatic life, avoid spreading invasives
- Environmental Review -- Avoid use of ORVs in sensitive areas, foster public transparency, reduce lawsuits
- Local Government Control -- Require permission from Tribes and local communities for new trails

Signage: All trails should have signs indicating that they are the proper routes open for this use. Our forests are increasingly threatened by fragmentation due to the fact that without signage, if one user goes illegally off of a proper trail, this “user created” trail can then be traversed by others. If it looks like a trail enforcement cannot stop this new unofficial trail from being used. The DNR states that “dividing large and contiguous forests into smaller pieces is an issue of increasing importance as communities and development put more pressure on our existing land base.” The DNR’s own [Forest Legacy Project](#) defines the many negative effects of forest fragmentation. The effects of forest fragmentation are far reaching.

- Fragmentation disrupts animal travel corridors and creates barriers that isolate populations from potential breeding opportunities.
- Following fragmentation, habitat for forest species that favor forest interiors (such as orioles, tanagers, and wood thrushes) is lost and there is greater vulnerability to predators and nest robbers.
- Species that cannot easily disperse, including reptiles and amphibians, are more likely than other species to be harmed by forest fragmentation.
- Smaller remaining forests are more susceptible to invasive species, often resulting in a loss of species diversity.
- The loss of forested lands almost certainly means the loss of recreational lands.
- With smaller forests, the frequency of conflicts between people and wildlife increases.
- Scenic views are lost, making the places we choose to live and visit less beautiful.
- By losing forests, we are losing the ability to clean the air and water and buffer our environment from pollution.

Passing these commonsense measures will help reduce impacts of fragmentation by informing users where it is proper to ride.

Water & Native Species: This bill protects our most pristine waters and implements science-based safeguards for other wetlands, streams, and rivers. Minnesota Pollution Control Agency (MPCA) waters ranked Exceptional Use should have special protection. Exceptional Use waters (there are 49 in the state) are waters that are habitat to sensitive species that need clear, cold water to survive - including walleye and trout.

Environmental Review: Requiring at a *minimum* the simple Environmental Assessment Worksheet (EAW) will provide all people of the state that care about our public lands the information and opportunity to participate in proposed trail creation. This allows a “first look” at what impacts might arise from trail design and location. Mandatory EAWs for OHV projects was recommended by the 2003 Legislative Audit due to their “potential for significant impact.” This 2003 Legislative Audit recommendation was never implemented. With the increasing number of OHV projects throughout the state and millions in grant-in-aid funds being distributed, this bill corrects that oversight.

(See Pg. 9 <https://www.auditor.leg.state.mn.us/ped/pedrep/0301all.pdf>)

Local Government Control: The bill honors Tribal sovereignty and acknowledges in statute that Tribal approval must be sought and granted for any designated trails proposed to cross their territories. Counties and townships must also have local approval over designated OHV trails coming through their areas. This measure addresses situations when counties or townships oppose a designated route coming through their jurisdiction and that opposition is not respected, leaving costly legal action as the only option to oppose the route.

In conclusion: The just released [2022 Living Planet Report](#) shows an average worldwide decline of 69% in wildlife populations since 1970! This is a comprehensive study of trends in global biodiversity and the health of the planet. Our state public lands are valuable for not only people, but house some of our most undeveloped natural areas for ecosystem services such as clean air, water, wildlife habitat, carbon sequestration and a healthy climate. Addressing threats to our public lands addresses the interlinked emergencies: climate change and biodiversity loss. ***It is important that we have the reasonable controls that this legislation provides to protect and preserve our waters and wildlife habitats now, especially before the three DNR Statewide Master Plans are implemented.***

Please support this legislation.

Thank you for your consideration,

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