

Mr. Mike Sullivan, Executive Director
Minnesota Environmental Quality Board
Department of Administration
300 Centennial Building
658 Cedar Street
St. Paul, Minnesota 55155

1 March 2004

Dear Mike,

As you know, for several months the Department of Natural Resources has been working to prepare a draft list of recommendations for the Environmental Quality Board to consider as they prepare to develop rules governing the environmental review of recreational trails. We provided the Board with some very preliminary recommendations in mid-October. Since then an internal, inter-disciplinary team of technical staff has been working on providing additional guidance. They have completed their work and their recommendations have been reviewed by our Commissioner's Office. The final draft recommendations are attached. If you have any questions as you proceed forward to establish permanent rules please contact either Ms. Lee A. Pfannmuller, Director of Ecological Services (296-0783) or her staff lead, Mr. Tom Balcom (296-4796).

Thank you for accepting our input.

Sincerely,

Brad Moore, Assistant Commissioner
Department of Natural Resources

cc. Tom Balcom
Lee A. Pfannmuller

Draft Thresholds For Discussion

Thresholds For Recreational Trails

I. Draft Environmental Review Exemption Categories

4410.4600 EXEMPTIONS

Subpart _____. **Recreational Trails.** The following projects are exempt:

- A. The designation of minor, temporary or seasonal trails with no significant or lasting effects.
- B. Winter only trails across agricultural land.
- C. The designation or conversion of an existing corridor as a winter only trail.
- D. Less than 1 continuous mile of recreational trail for snowmobile use.
- E. The rehabilitation, reconstruction and maintenance of existing trails within the existing corridor.
- F. The designation of existing State Forest roads for motorized recreational vehicle use.
- G. "Roadway landscaping, construction of bicycle and pedestrian lanes, paths, and facilities within existing right-of-way are exempt." (MR 4410.4600 Subp. 14 D) (*Note: Present rule language provides an exemption for some trails in the highway right-of-way. We are not advocating a change to this exemption.*)
- H. The rerouting of less than 1 continuous mile of recreational trail for safety considerations or to avoid sensitive areas.

II. Draft Thresholds For Mandatory EAW

4410.4300 MANDATORY EAW CATEGORIES

Subpart _____. **Recreational Trails.** Items A to B designate the RGU for the type of project listed: (Note: If the project will be carried out by DNR or another state agency, then the DNR or another state agency will be the RGU. MR 4410.0500 Subp 1. RGU for mandatory categories.)

- A. For the **construction** of trails for **motorized or non-motorized** uses (except for snowmobile use), **10** miles or more in length of new alignment through native prairie, forest, or naturally vegetated land, the local government shall be the RGU.
- B. For the **construction** of trails designated solely for winter use, **20** miles or more in length of new alignment through native prairie, forest, or naturally vegetated land, the local government shall be the RGU.
- C. For **designation or conversion** of an existing corridor to a motorized recreational trail or to a **new motorized use** of **25** miles or more in length, the local government shall be the RGU.

III. Draft Thresholds For Mandatory EIS

We are not recommending any mandatory EIS threshold for trail projects.

IV. Thresholds For Off-highway Vehicle Recreation Areas

A. Draft Thresholds For Mandatory EAW

4410.4300 MANDATORY EAW CATEGORIES

Subpart _____. **Off-highway vehicle recreation areas.**

- 1. For the development of an off-highway vehicle recreation area resulting in the permanent conversion of **80** or more acres of native prairie, forest, or naturally vegetated land, the local government shall be the RGU.
- 2. For the development of an off-highway vehicle recreation area **640** or more acres in size on a site that has already been degraded/converted and does not result in the loss of any native prairie, forest or naturally vegetated land, the local government shall be the RGU.

B. Draft Thresholds For Mandatory EIS

We are not recommending any mandatory EIS threshold for off-highway vehicle recreation area projects