



MICHIGAN UNITED CONSERVATION CLUBS

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January 20, 2016

RE: Comments on Senate Bills 651-653

Thank you for the opportunity to provide input on this Senate bill package before the Senate Natural Resources Committee.

After the Michigan Legislature made needed updates to the Qualified Forest Program (QFP), finalized in 2014, the acreage enrolled in the QFP has nearly tripled. Currently, there is almost 300,000 acres receiving tax breaks across the state in exchange for having and following a forest management plan.

However, there is more than 2 million acres still enrolled in the Commercial Forest Act program (CF), which not only provides timber to the forest industry, but also provides substantial public access for hunting, fishing, and trapping across large swaths of the Upper Peninsula and every county in Northern and Western Lower Peninsula, with some smaller parcels in the Thumb and Washtenaw Counties as well. In exchange, these landowners only pay \$1.25 per acre in property taxes and the State of Michigan (through General Fund appropriations) matches that with another \$1.25 per acre. These CF landowners are getting enormous tax benefits for providing a public access benefit, while also fueling the forest economy. There are also intangible fish and wildlife habitat and other ecological benefits to keeping this land in single ownership, unfragmented and undeveloped.

At one time, the CF program included nearly 60,000 acres comprised of 1,000 landowners with parcels 100 acres or smaller. While this certainly provides community benefits, there were always questions as to whether some of these small acreages were following the requirement to be open to the public in exchange for the substantial tax break. MUCC supports allowing these small CF landowners (under 100 acres enrolled) the ability to convert to the QFP with relative ease if they chose to do so. For those that remain in CF, we have asked for increased enforcement by the DNR for any CF landowners not follow the state law by allowing public access for hunting, fishing, and trapping.

SB 651-653 provides a path for CF landowners to transition to the QFP. However, MUCC asks that this penalty-free transition only be allowed for these targeted small CF landowners and only for a limited amount of time (reestablishing a sunset). This would help to fully implement the intent of the 2014 QF revisions. Additionally, we request that the transitional QF lands remain open to the public for hunting, fishing, and trapping until the time of 10 years has elapsed and the landowners are paying their full assessment, minus the 18 mil exemption. This seems like a reasonable request in exchange for their continued substantial tax break they will be receiving over the transition period.

Thank you for your time and consideration of our suggestions. We are happy to review revised language in advance of moving these bills out of committee.

Submitted by Amy Trotter, MUCC Deputy Director
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Suggested bill amendments;

- SB 651, page 5 lines 11-14:
 - 11: than ~~100 640 acres maximum or the equivalent of 16 survey units~~
 - ~~12: consisting of 1/4 of 1/4 of a section~~ of transitional qualified
 - 13: forest property in each local tax collecting unit. If an exemption
 - 14: is granted under this act for less than ~~100 640~~ acres in a local tax
 -

New part Sec 4. (7)

EXCEPT AS PROVIDED IN THIS SECTION, THE OWNER OF FORESTLAND THAT IS CLASSIFIED AS TRANSITIONAL QUALIFIED FOREST PROPERTY SHALL NOT DENY THE GENERAL PUBLIC THE PRIVILEGE OF HUNTING AND FISHING ON TRANSITIONAL QUALIFIED FOREST PROPERTY UNLESS THE LAND IS CLOSED TO HUNTING OR FISHING, OR BOTH, BY ORDER OF THE DEPARTMENT OR BY AN ACT OF THE LEGISLATURE. IF THE DEPARTMENT DETERMINES THAT THE OWNER OF TRANSITIONAL QUALIFIED FOREST PROPERTY HAS TAKEN AN ACTION THAT HAS THE EFFECT OF DENYING OR INHIBITING ACCESS TO THE TRANSITIONAL QUALIFIED FOREST PROPERTY FOR PUBLIC HUNTING AND FISHING, EXCEPT AS SPECIFICALLY PROVIDED IN THIS PART, THE DEPARTMENT MAY REQUIRE WITHDRAWAL OF THE FORESTLAND AS TRANSITIONAL QUALIFIED FOREST PROPERTY UNDER THIS PART UNLESS THE OWNER CORRECTS THAT ACTION AND ALLOWS ACCESS TO THE TRANSITIONAL QUALIFIED FOREST PROPERTY FOR PUBLIC HUNTING AND FISHING.

SB 653, page 4, starting with line 4

(5) UNTIL 2 YEARS AFTER THE ENACTING DATE OF THIS LEGISLATION, the THE owner of forestland that is withdrawn from the classification as commercial forest under this part is not subject to a withdrawal penalty if ~~all EITHER~~ of the following OCCURS:

Striking lines 8-24