

Michigan's Managed Public Lands:

A valued, shared resource

Fishing:

- 1.2 million anglers – Ranks fifth in the nation
- Value \$2.5 billion to Michigan's economy
- Produces 37,989 direct jobs
- Anglers fish more than 11,000 lakes, 3,000 miles of Great Lake shoreline and 20,000 miles of trout/salmon streams-most diverse freshwater fishing in the world
- Field & Stream recently named Michigan the best fly fishing state in America

Hunting:

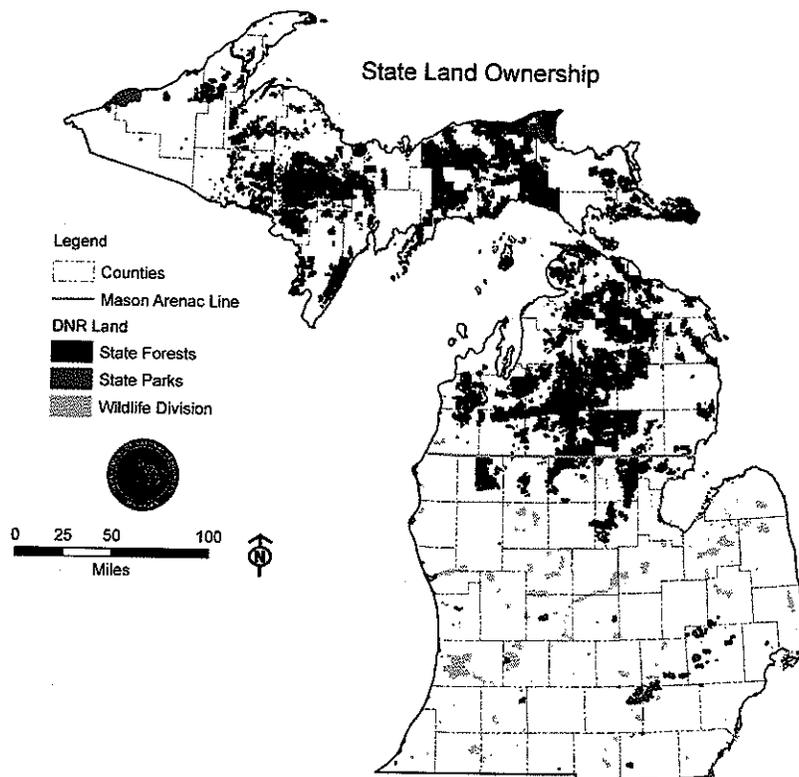
- 760,000 hunters - Michigan ranks third in the nation behind Texas and Pennsylvania
- Hunting generates 34,473 direct jobs and produces \$2.3 billion for Michigan's economy
- Hunters have access to 4.5 million acres of state owned public hunting lands including 187 state game areas and seven managed waterfowl areas

Recreation:

- DNR-managed recreation facilities are the backbone of Michigan's \$22.8 billion tourism industry that supports 214,000 direct jobs
- Six of the state's top 10 tourist destinations are managed by DNR
- Fishing and boating add \$7 billion to Michigan's economy
- Facilities include:
 - 102 state parks (22 million state park visits)
 - 138 state forest campgrounds
 - Nearly 1 million overnight camp nights ranking 2nd in the nation behind California
 - 1,300 boating access sites and 80 public harbors support \$3.9 billion boating industry
- More than 12,000 miles of trails - positions Michigan as "The Trail State"
- 2,600 miles of rail trails (most in nation)
- Michigan mountain biking, ORV and snowmobile trails are regularly cited as among the best in their class
- With over 200,000 snowmobilers, Michigan ranks 1st in the nation
- Snowmobilers provide \$1 billion to Northern Michigan economies (when it snows)

Resource-based Industry:

- 4 million acres of DNR-managed forest supports a \$17.8 billion timber industry and 86,000 total jobs
- 926,000 cords of certified timber harvested annually from DNR-managed lands
- 6 million seedlings planted each year on DNR-managed forest lands
- DNR-managed public lands provide access to 1.1 trillion cubic feet of natural gas storage, the most in the nation
- 50% of state-owned minerals rights in the Lower Peninsula are leased for oil and gas production
- Oil and gas revenues to the Michigan Natural Resources Trust Fund, Game and Fish Protection Fund and State Park Endowment Fund have totaled almost \$2 billion



How current lands were acquired:

- 52% tax reversion (2,400,000 acres)
- 26% purchased (1,200,000 acres)
- 19% exchanges (870,000 acres)
- 2% gifts (90,000 acres)
- 1% other (45,500 acres)

Managed Public Land Strategy

Action prompted by Act 240, 2012

Strategic Plan Developed By:

- Little Traverse Conservancy, *Tom Bailey*
- Plum Creek Timber Company, *Charlie Becker*
- The Nature Conservancy, *Rich Bowman*
- Michigan Trout Unlimited, *Bryan Burroughs*
- The Right Place, *Rick Chapla*
- Northeast Michigan Council of Governments, *Denise Cline*
- M Parks, *Ann Conklin*
- Alliance for Economic Success, *Tim Ervin*
- Michigan Environmental Council, *Brad Garmon*
- Chevron North America Exploration & Production Company, *Phil Koro & Jim Stachnik*
- Southeast Michigan Council of Government, *Amy Mangus*
- Michigan Snowmobile Association, *Bill Manson*
- MUCC, *Erin McDonough*
- MSU, *William Porter*
- Oakland County Parks & Recreation, *Dan Stencil*
- Northern Initiatives, *Dennis West*

Public involvement:

- Ten open houses
- Received over 600 public comments, online and through e-mail
- Six MEDC regional meetings
- Meetings with the ten counties with the most DNR-managed public lands and the five counties with the least amount of DNR-managed public lands

DNR-Managed Public Land Strategy meets the requirements of Act 240, 2012, and addresses the following:

- Divided the state into 10 regions
- Identified lands managed by the DNR, by region
- Established measurable strategic performance goals:
 - Maximizing access to land and water bodies
 - Maximizing outdoor recreation opportunities
 - Supporting regional prosperity, for instance through forest products
 - Managing wildlife and fisheries habitat, access, and opportunities
- Identified:
 - Plans for natural resource management
 - Lands to be disposed
 - Lands to be acquired

Department of Natural Resources

SB 39 (S-1) comments

Pg. 4, subsection (3) – A cap on the amount of public land available for public outdoor recreation and tourism will be put in place on land north of the Mason-Arenac county line if the legislature fails to appropriate full and on time payments in lieu of tax.

- Strike Line 11-21, subsection (3)

Notes: Multiple pieces of legislation have already mandated the full payment in lieu of tax, so the only way that payments would fail to be made is if the legislature itself failed to appropriate the funds for them. It doesn't make sense to limit the amount of public land available for public outdoor recreation and tourism because the legislature fails to appropriate full and timely payments in lieu of tax.

Pg. 8, subsection (9) – DNR annual update report requirements:

- Line 12, strike “and post ~~and~~,”
- Line 15, strike “including” and insert “excluding”.

Notes: For reporting on the implementation of the plan it is not necessary to include those lands that are excluded under subsection (4): utility easements, conservation easements, platted land under the land division act, land acquired by gift or through litigation, etc. It is unclear why these would be excluded in subsection (c) on line 19, but included in subsection (b) on line 15.

Pg. 10-11, subsection (12) – empowers government authority to interfere with private property rights.

- Strike subsection (12)

Notes: Government should not have the authority to prohibit the free market sale of property by one of its own residents. An individual should have the right to sell their property to whomever they desire without government interference. Local government leaders do not always have the interest of the entire state in mind when making decisions. There are times that a local government leader has political struggles with a resolution of support (i.e. boating access site on lake surrounded by influential constituents). The DNR does not make land transactions now without sound reason and communication with local units of government.

Pg. 11, subsection (13) – Local engagement process to should apply to all counties, not just those with less than 33% public or commercial forestland.

- Line 8-11, strike “If land owned by this state or the federal government and land that is commercial forestland as defined in section 51101 do not constitute at least 33% of the land in a county or do not constitute at least 33% of the land in a township,”

Notes: Collaboration between the state and local units of government in regards to the acquisition of public land for the benefit of its citizens is a good thing and should be encouraged statewide and not just in those areas of the state where public land is more predominant.

Pg. 17-18, line 25, subsection (5) – This proposed subsection is unnecessary, as the issue of access and promotion of motorized use is addressed in the bill.

- Pg. 17, line 25 through pg. 18, line 2 – strike subsection (5)

Notes: DNR has concerns with how this subsection is worded because it would “urge” the DNR to provide public access to all lands under its management for motorized activities. DNR should promote motorized use where it is appropriate and not on all public land (mountain bike trails, bike paths, hiking trails, cross country ski trails, managed waterfowl hunting areas, grouse enhanced management sites, etc.).

Pg. 18, line 3-10, subsection (6) – The DNR does not understand why this is proposed nor does it feel that it is necessary. DNR would recommend amending the language to reflect collaboration between the DNR and locals on increasing outdoor recreation on lands appropriate to the desired activities.

Notes: DNR is concerned with being forced to allow local units of government to use state land for any purpose. It would not be appropriate to allow snowmobile races on a cross country ski trail or ORV scramble event in a grouse enhanced management site. However, it would be appropriate for the DNR to collaborate with the locals on finding the right place for the right activity and to assist increasing more participation in outdoor recreational activities.

Pg. 18-19, subsection (7) – The DNR recommends striking this section as we do not support limiting the Director’s authority to properly manage the state’s public land on behalf of the users and general public.

- Pg. 18, line 11 through pg. 19, line 16 – strike subsection (7)

Notes: This proposed language would prohibit the Director from providing land use orders to establish safety rules at shooting ranges, manage conduct in endangered piping plover nesting

areas, establish areas for requiring recreational passport, manage conduct within state parks, manage conduct within abandoned caves for white nose syndrome, restricting use of ash wood to prevent spread of emerald ash borer, restricting use of fireworks in state parks, designated locations where campfires are not allowed, etc.

Pg. 19, line 18, subsection (8) – Any request to review the removal of a berm should come from the local units of government and not just any organization.

- Pg. 19, line 13, strike “an organization or”

Notes: Sometimes it is the local unit of government who requests that we limit vehicle access to certain state owned land due to complaints of it becoming a rubbish dumping site or local party spot. It makes sense for any request to remove restrictions on access to state public land come from the local unit of government and not just any organization.

Pg. 21, line 2, Sec. 514 – This section is not necessary as current law provides a legal remedy for trespass violations.

- Line 2-7, strike section 514

Notes: This proposed section allows private landowners to sue the DNR for damages that occur in the commission of a conservation officer's duty, for instance, investigating poaching on private land. There are existing legal remedies available for trespass violations and limitations on police powers.

Pg. 24, line 23, subsection (3) – Limitations on the use of game and fish protection account could amount to diversion.

- Pg. 24-25, section 2010 – remove proposed changes.

Notes: It prohibits spending game and fish dollars on non-game animals, taking away the essential argument in support of hunting that hunters pay for the conservation of all species, not just those that they hunt. Also requires forest treatments on land acquired with the game and fish protection account to not be undertaken to benefit non-game species. Furthermore, DNR depends on an annual average of \$20 million in Pittman-Robertson funding to manage habitat and wildlife. Being found in diversion would eliminate that funding source and create significant budget concerns for the DNR.

Pg. 34, line 6, subsection (13) – DNR does not provide preference to anyone during a land transaction.

- Pg. 34, line 6-8 – strike subsection (13)

Notes: The DNR does not provide preference to any organization or individual during a land transaction. This section should be removed or amended to reflect current that the DNR should not provide anyone with preference during a land transaction.

Pg. 35-38, sec. 35501, sec. 35502, sec. 35503 – DNR does not support the inclusion of the proposed changes to biodiversity.

- Pg. 35-38, remove proposed changes to sec. 35501, sec. 35502, and sec. 35503

Notes: The issues of sustainable forest management, public access and economic considerations have been addressed elsewhere in this bill and in the DNR managed public land strategy. The proposed biodiversity changes are not necessary and should be removed.

Pg. 38, line 16, sec. 40501 – Limitations on the use of Pittman-Robertson Wildlife Restoration Act funds could amount to diversion.

- Pg. 38, sec. 40501, remove proposed changes.

Notes: It prohibits spending Pittman-Robertson Wildlife Restoration Act funds on non-game animals, taking away the essential argument in support of hunting that hunter's pay for the conservation of all species, not just those that they hunt. Also requires forest treatments on land acquired with Pittman-Robertson funds to not be undertaken to benefit non-game species. Furthermore, DNR depends on an annual average of \$20 million in Pittman-Robertson funding to manage habitat and wildlife. Being found in diversion would eliminate that funding source and create significant budget concerns for the DNR.

Pg. 39, line 23, insert “Where appropriate, promoting working forests for the production of forest products.”

Notes: The DNR should promote working forests and forest products on areas of the forest where this is a viable outcome. Not all areas of the state forest system can or should be managed for forest products. Some wetlands or sensitive areas, scenic overlooks, natural river corridors, and high use recreation areas are all examples of outputs other than forest products. There are some areas that the environmental and social output and values are as equal as or greater in importance than the production of forest products.

Pg 40, line 14: strike “while balancing economic values” or substitute “while minimizing impacts to economic values.”

Pg. 40, line 14: Strike “balancing” and replace with “minimizing loss of.”

Notes: This language is difficult to understand and even more difficult to execute. For example, we are unclear if this language would prevent the DNR from protecting some water bodies if there is a corresponding economic benefit that “balances” the economic value. Lacking a method or technique to meet this balance, the DNR would have a very difficult time carrying out this type of analysis for every natural resource decision.

Pg 39, line 25-26: strike “but this should not take precedent over forest management.”

Notes: This could be difficult on lands purchased with hunting license funds. According to the Pittman-Robertson Wildlife Restoration Act, 16 USC 669 to 669i, actively managing for wildlife cannot be secondary to forest management on lands acquired from that fund. There are times where managing for wildlife habitat is the best option even if it limits some of the forest management options. Decisions like this are better decided according to the circumstances, public and professionals surrounding a situation, rather than broadly mandated by statute.

Pg. 41, line 15, strike “and voluntary silvicultural practices.”

Notes: Michigan does not have “voluntary silvicultural practices”. This would require the department to manage to an undefined standard.

Pg. 42, line 21 through pg 43, line 5: strike subsection (G), it has been done with newly accepted science based and industry accepted current forest plan. Plan is not based solely on growth but all natural resources factors.

Notes: This language mandates the DNR to project and manage harvests in a way not generally accepted by sound science. In addition, it ignores the DNR’s recent planning efforts (Regional Forest management planning) endorsed by forest industry and the Governor’s appointed Timber Advisory Committee. The Regional State Forest Management Plans provide similar data, were approved by the public, endorsed by forest industry and forest certification regime’s (SFI and FSC), and based on 10 years cycles. This would require significant reworking of the forest management planning process and analysis.

Pg. 43, line 8: strike “for each forest management area.”

Notes: The State Forest Plan provides a figure of 61,000 acres to be prepared per year, on average over a 10-year period (2016-2026). There are 15 management units that in combination, prepare that amount. The DNR presently reports the statewide figure. If there's a need to shift resources from one unit to another for critical timber salvage after a fire or due to an insect outbreak, this affects the output of a particular unit, which may not reach 90%, but another unit would be over 90%. The forest industry depends on timber from several management units and the overall number they can depend on from state forest land is the key number.

Department of Natural Resources
SB 40 (S-1) comments

Pg. 2, line 17, Sec. 2135 (1)(a):

- line 3-4, strike “Upon the recommendation of the department and authorization of the board,”
- Line 19-20, strike “that has been approved by the legislature for purchase pursuant to section 1907”

Notes: DNR recommends removal of who approves and simply identify what can be purchased using Land Exchange Facilitation Fund. Within this section, for lands purchased with Land Exchange Facilitation Fund, we could require that the land being acquired must meet the criteria outlined in the Public Land Strategy.

Pg. 3, Sec. 2135 1(D) – Eliminate the expansion for use of the fund for dredging and assessments

- Lines 1-5, strike proposed subsection (D) and insert:
 - *The cost of managing the natural resources for public recreation activities and development projects.*
- Lines 6-7, Strike Sec. 2135 1(E)

Notes: By expanding its funding to cover special assessments, funding will not be available for the funds express purpose: using proceeds from the sale of public land to purchase replacement public land for the citizens of Michigan.