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MICHIGAN UNITED *Since 1937* CONSERVATION CLUBS

Uniting Citizens to Conserve, Protect and Enhance Michigan's Natural Resources and Outdoor Heritage
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Michigan United Conservation Clubs

Written Comments for HB 4475 (H-2); SB 302 (H-2); SB 303 (H-1)

Dear Chairman Howell and Members of the House Natural Resources Committee:

Thank you for the opportunity to submit comments on HB 4475, SB 302, and SB 303, a collection of bills concerning land management, acquisition, and disposition. The subject of this legislation has been exhaustively debated and discussed over the last 5 years. The management and trusteeship of publicly owned lands must be generational in its view, as the decisions we make today concerning these lands have impacts that extend well beyond the near future.

Without re-hashing the entirety of the debate nor making reference to the various iterations this legislation has undertaken over the last several years, we are pleased to note that a number of improvements and refinements to the legislation have taken place. For that, we extend our thanks to Senator Casperson and Chairman Howell for their leadership in doing so.

As to our particular feedback, we note the following significant improvements over prior versions of the bills:

- the legislation adopts the Managed Land Strategy, which will guide the actions and approach of the state as it considers land management decisions. This strategy, which was collaboratively developed, formalizes a process, criteria, and emphasis on engagement for making strategic land acquisitions, sales, and exchanges. This strategy brings greater clarity to land management decisions which benefits stakeholders, local communities, and policy makers.
- The legislation removes the "land cap" which has been state law since 2012. The land cap was installed in the absence of a strategy and we appreciate its removal as the Managed Land Strategy comes online.

- The legislation offers substantial improvements in public engagement with land transactions. HB 4475 extends the public notice and engagement process from seven days to sixty-one days. MUCC has long supported more notice and engagement for pending land transactions and we strongly support this provision.

There remain several areas where we respectfully request consideration for additional changes for SB 302:

- Removal of language in Section 2010 (3) (Page 11, lines 4-12) that refers to the use of game and fish funds for non-game species. While we generally support the sentiment expressed here, we do believe that the language appearing after the sentence ending "...recreational hunting opportunities" will have a negative effect on wildlife management in general and game management in particular. Because game and non-game wildlife occupy the same spaces it can be exceptionally difficult to ascertain which species is deriving 50.1% of the benefit from a given management action. If there are specific programs which the legislature wants to ensure remain free of any investment from game and fish funds or federal wildlife and sportfish restoration dollars, we request they be incorporated as boilerplate language in the annual appropriation made to the department.
- Change section 2126 (Page 14, line 22) to read, "whichever is more." In several recent cases, the assembly of an easement to facilitate a land transaction has been extremely laborious and time consuming. Often times, the funds for reviewing and commenting on these easements, which have involved thousands of acres in a single instance, are being paid for with sportsmen dollars. The change we request here, would ensure that relatively small, uncomplicated easements are resolved for a modest sum, which greater cost recovery for the more complex easements is provided for.
- Sections 2137 (page 19, line 14) and 2138 (page 19, line 24) change "shall" to "may." Both of these sections concern property that have NOT been identified as surplus to the needs of the state. Unlike considering lands that have been designated as surplus, we believe it appropriate to afford some flexibility to the state to consider or not a transaction involving non-surplus lands. Doing so prevents the inefficient use of state resources for activities that will not, on their face, result in a land transaction.

Making these changes to SB 302, will enable MUCC to adopt a position of neutrality on this bill.

Concerning HB 4475, we respectfully request consideration of the following changes:

- To Section 503, subsection 10 (c) (Page 9, line 25) we request adding "...and relevant stakeholders including organizations and representatives of the hunting, fishing, and outdoor recreation community." This language will ensure that it is the intent of the legislature for the department to engage recreational interests alongside the interests of local governments in making updates to the Managed Land Strategy.

- To Section 503, subsection 11 (page 10, starting line 13), we request that this subsection be stricken. However, an alternative would be to strike references to the federal government and commercial forestland (lines 14-15) to narrow the scope to only counties where the state owns and manages 40% of the land.
- To Section 2165, subsection 1 (D) (Page 19, Line 17) we recommend adding the language “and at the earliest Natural Resources Commission meeting following notice provided under this subsection,....” This addition will ensure that proposed land transactions not only fulfill a requirement to engage in a local conversation about the proposed transaction, but ensures that broad statewide interest in the transaction is provided for as well.

Making these changes to HB 4475, will enable MUCC to support this bill.

Lastly, to SB 303, we recommend the following change:

- Section 2135, Subsection 1 (D), strike lines 20-22. The fund referenced in this page is not a fund that should be used for land management activities, other fund sources exist for that purpose. Opening this fund to “management” activities will deplete the funds available to facilitate field reviews, surveys, and other department activities needs to sell, exchange, or acquire lands, shifting the burden more onto fund sources that may be dedicated to fish and game management.

Making this change to SB 303, will enable MUCC to adopt a position of support on this bill.

Thank you for your consideration of these changes, we look forward to remaining engaged with you going forward as you contemplate this legislative package. Should any of you have any questions, require any additional information, or would like to discuss these or other matters pertaining to these bills, please contact our representative, Mr. Bill Jackson of McAlvey, Merchant, and Associates or you may contact me.

Sincerely,

Daniel Eichinger
Executive Director