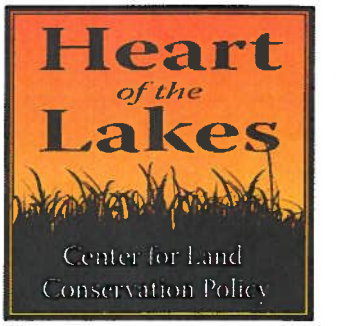
Position Statement



To: Representative Frank Foster, House Natural Resources, Outdoor Recreation, and Tourism Committee and members of the committee

From: Julie Stoneman, Associate Director, Heart of the Lakes Center for Land Conservation Policy

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Re: SB 248 (S-2)

Date: October 11, 2011

Thank you for including us in the workgroup and allowing us to provide input at today's hearing. Heart of the Lakes Center for Land Conservation Policy is the statewide coalition for Michigan's land conservancies. Our members, including Grand Traverse Regional Land Conservancy, Little Traverse Conservancy, and Six Rivers Land Conservancy, work with private landowners, local communities and the state in their efforts to acquire and protect open spaces.

The issues that seem to be driving this legislation center around whether the people of Michigan are receiving the greatest possible benefit from the public lands managed on their behalf by the Department of Natural Resources. We argue that an arbitrary cap is not the right approach. A simple cap does not address many of the concerns raised by its proponents and instead creates unintended consequences, including the loss of the DNR's ability to take advantage of time-sensitive opportunities to acquire strategically important lands where they are needed most and where they can, in fact, drive economic activity.

Heart of the Lakes opposes the bill in its current form. We believe the best possible outcome of any legislative or policy action on this issue is a plan, led by the DNR with stakeholder and public input. That plan would establish land ownership priorities to achieve natural resource based goals for forestry, recreation, tourism, jobs, prosperity, and quality of life, all while taking into account the ability of the department to manage those lands and budgetary and capacity restrictions.

Development of this public land ownership strategy would weigh the interest of all users as well as the needs of citizens of different regions of the state, while considering whether newly acquired lands would:

- Be complementary to lands we already own
- Reduce or increase management costs
- Improve the quality of ecological, economic and other services
- Protect significant natural resources

- Increase access provided by that land

With stakeholder and public input, the DNR is best suited to lead the development of a strategy that recognizes not only the different needs of various regions throughout the state but also the unique differences between the various types of state-owned land and the benefits and need for each throughout the state. The strategy would not simply just address land acquisition. With clear and transparent priorities, it would also provide defensible reasons why the DNR should also dispose of property held by the state.

In its current form, SB 248 requires the DNR to consider the expenses it would incur in managing new land and the loss of tax revenue to local governments before acquiring land. Lost in the argument are the tremendous benefits public lands can bring to the state and communities, including potential increases in private property values[1] and consequently local tax revenue, as well as tourism dollars and other revenues. Any consideration of costs must be balanced by considering the benefits of new acquisitions.

Therefore, we ask the committee to strongly consider a conditional, performance-based sunset that requires the DNR to do the work of bringing a public land ownership plan to the legislature. The incentive for the DNR to do so would be elimination of the cap if the legislature approves the plan. To ensure the approval of the legislature, the DNR would have to secure support from key stakeholders and the public.

We also ask that the committee reconsider the provision that requires the DNR to sell tax reverted land within a nine month time frame at no minimum bid. The nine months should be extended so that prospective purchasers have enough time to arrange financing and close on a sale. The bill should also include a right of first refusal for the local government in which the parcel was located so that local governments can choose whether that land is critical to its community and community members.

The exemptions in the current version of SB 248 are defensible and should be kept in the legislation with some modifications.

- Conservation easements keep lands on the tax rolls and in private hands while providing many of the benefits of public ownership such as natural resource protection, timber harvesting, and recreation.
- The exemption for trails is critical because recreational trail use is the fast growing type of recreational activity in the state. Local municipalities look for

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[1] 2007 *Economic Impact of Michigan's State Parks, A Case Study of Ogemaw County*, Land Policy Institute in partnership with Heart of the Lakes Center for Land Conservation Policy.

opportunities to bring trails into their communities and provide added value to their communities, thus attracting residential and visitor investment.

- An exemption for CFA lands is critical because it allows for the maintenance and acquisition of contiguous blocks of productive timbered land, reducing encroachments and conflict between foresters and non-foresters on contiguous lands, and creating more opportunity for recreation.

We also suggest the addition of these exemptions:

- For acquisition of inholdings where it can be demonstrated that management costs will be reduced or other critical problems solved. Management efficiencies can be gained by reducing borders that must be surveyed and reducing the occurrence of encroachments.
- Acquisitions that provide public access to rivers, lakes and Great Lakes shoreline where there is demonstrated need or the protection of a significant natural resource of statewide concern.

Thank you for the opportunity to comment on this legislation.