Testimony for House Hearing on SB 248

Representatives:

I am sure there will be much testimony presented pro and con on this bill. There are several points that I will make that illustrate that it is in the best interests of the citizens of this state that our MDNR be restrained in the acquisition of lands in excess of what they presently hold.

At present, more than fifty percent of the land in the Upper Peninsula is open to our citizens for resource uses of all kinds based on its public ownership or designation as commercial forestland. The ability to recreate on these lands comes at a high price to the residents who live in areas where these lands are located as the loss in revenues to local units of government must either result in high taxation or in the loss of services to the citizenry.

In spite of the obvious loss of revenue and services and other impositions to the people, one of my great concerns is the inability of the MDNR to mange the lands now under their control. I will offer one example to illustrate.

About twenty years ago, the MDNR purchased approximately three square miles (3 sections) of land in southern Menominee County from Eugene Peterson. The land sold at a premium because it had a rather large backwater of the Devils Creek named Peterson Pond on it. This was the prime waterfowl sanctuary in the south central U.P. Mr. Peterson had allowed access to the pond for water fowlers and others interested in the populations of ducks, geese, and song birds that were abundant there. Shortly after (10 years?) in 2000, despite being warned by Mr. Peterson that the dam needed repair, the structure failed and Devils creek and another private pond downstream were inundated by the silt, vegetation, debris, and undesirable organisms from the Peterson pond backwater. Mr. John Falk had constructed a well maintained body of water downstream that contained a population of trout and was a scenic attraction that drew many young people as well as parents to use the area. Investigation illustrated that the dam failure at Peterson pond was responsible for the damage to the Falk pond and restitution was provided by MDNR and the Falk pond was restored.

In 2008, due to improper repairs and maintenance the Peterson dam failed a second time. This time the MDNR refused to accept responsibility and the

issue is presently under litigation. If the MDNR is found culpable, it will cost the taxpayers and those who support the MDNR by the purchase of hunting licenses significant dollars that could have been used on needed and required management.

Since the second failure, the MDNR decided to allow the backwater to drain and an important ecological area is now absent. A thriving waterfowl sanctuary is now a soggy mess. The MDNR wildlife would not or could not manage this property and the rest of the story is or soon will be history.

In closing, I might add that after the state acquired this property all roads were closed to the public. Three square miles were inaccessible. When questioned about this action the local forest manager replied "Well, you could not drive on it when it was private." The point is that state land belongs to the people and should accessible to the people. If you can't manage the land, you should not have it and certainly not be looking to acquire even more.

G. Dale McNamee
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