SENATE BILL NO. 1003

May 21, 2026, Introduced by Senators SHINK, CHANG, GEISS and BAYER and referred to Committee on Natural Resources and Agriculture.

A bill to amend 1994 PA 451, entitled

"Natural resources and environmental protection act,"

by amending sections 503, 2106, and 2165 (MCL 324.503, 324.2106, and 324.2165), sections 503 and 2106 as amended by 2018 PA 240 and section 2165 as amended by 2022 PA 2, and by adding section 502c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 502c. (1) As used in this section:

(a) "Biological diversity" means that term as defined in section 35501.

(b) "Conservation" means that term as defined in section 35501. "Conserve" and "conserving" have corresponding meanings.

(c) "Ecosystem" means an assemblage of species, together with the species' physical environment, considered as a unit.

(d) "Ecosystem services" means the benefits people derive from ecosystems, including provision of goods such as food, wood, fiber, and other raw materials and of services, such as crop pollination, soil conservation, nutrient cycling, water purification, recreation, and well-being.

(e) "Environmental justice community" means a community that is disproportionately affected by environmental hazards and social inequalities.

(f) "Habitat connectivity" means the ability of organisms and natural processes to move between patches of habitat, both on land and in water. Habitat connectivity may be process- or species-specific and may be natural or facilitated by humans.

(g) "Habitat corridor" means a clearly defined geographical space that is under long-term management to maintain or restore effective habitat connectivity.

(h) "Legacy plan" or "plan" means a plan required under subsection (3).

(i) "Relevant legislative committees" means that term as defined in section 503.

(j) "Sustainable use" means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity.

(k) "Water" does not include the Great Lakes or Lake St.

Clair.

(2) The department shall coordinate state efforts to achieve the voluntary conservation and habitat connectivity of 30% of this state's total area of land and water by 2030. The land and water conserved may include state, federal, and municipal lands and waters, voluntarily conserved tribal land, and voluntarily conserved private holdings.

(3) By December 31, 2026, the department shall develop 6 regional legacy plans to implement subsection (2). Each of the following regions are the subject of a legacy plan:

(a) The southeast Lower Peninsula.

(b) The southwest Lower Peninsula.

(c) The northeast Lower Peninsula.

(d) The northwest Lower Peninsula.

(e) The eastern Upper Peninsula.

(f) The western Upper Peninsula.

(4) In developing the legacy plans, the department shall do the following:

(a) Consider each legacy plan's contribution to the following:

(*i*) Biological diversity.

(*ii*) Endangered or threatened species or species of greatest conservation need.

(*iii*) Natural communities, particularly sensitive and rare ecological areas and ecosystems.

(*iv*) Climate resilience.

(*v*) Equitable access to public land.

(*vi*) Environmental justice communities.

(*vii*) Habitat connectivity.

(*viii*) Water quality.

(*ix*) Other factors supporting the health and resilience of this state's ecosystems, environment, wildlife, water resources, including the Great Lakes and Lake St. Clair, and people.

(b) Solicit input from and coordinate planning activities with the department of environment, Great Lakes, and energy and the department of agriculture and rural development.

(c) Solicit input from the following:

(*i*) Federally recognized tribes, relevant state and federal agencies, conservation districts, regional planning agencies, and local governments.

(*ii*) Working land enterprises and private owners of working land, natural land, and agricultural land.

(*iii*) Land conservancies.

(*iv*) Conservation, environmental, outdoor recreation, and social justice organizations.

(*v*) Other interested parties.

(d) Post the proposed legacy plans on the department's website.

(e) Solicit public comments on the proposed legacy plans and conduct a public meeting on each proposed legacy plan in its respective region.

(f) Submit the proposed legacy plans for review to the relevant legislative committees.

(5) A legacy plan must meet the following requirements:

(a) Be based on the best available science regarding conservation, protection, and sustainable use of land and resources.

(b) Identify and provide for monitoring of areas where restoration is planned, occurring, or completed, and of

biologically diverse areas, with special attention to sensitive areas and areas of urgent concern for biological diversity loss. The department shall maintain, monitor, and utilize scientifically appropriate data collection methods assessing the conservation and protection of biologically diverse areas.

(c) Include an inventory and assessment of existing conservation programs and best management practices and recommendations for new or revised conservation programs and practices.

(d) An assessment of existing funding and recommendations for new funding sources for acquisition of land, staffing, and long-term stewardship.

(6) As technology and funding allow, the department shall develop an online assessment and decision support tool to assess land use and conservation alternatives in the development of legacy plans.

(7) The department shall implement the most recent legacy plans and not change the legacy plans except by a plan update prepared every 10 years subject to subsection (4). However, the department shall not implement a legacy plan if the senate and house of representatives committees with primary responsibility for conservation issues disapprove the legacy plan.

(8) The department shall do all of the following:

(a) Post the legacy plans on the department's website.

(b) In collaboration with the department of environment, Great Lakes, and energy and the department of agriculture and rural development, submit a report to the relevant legislative committees every 2 years on progress in implementing the legacy plans. The department shall post the report on the department's website.

(c) Update the data under subsection (5)(c) to track progress in complying with subsection (2).

Sec. 503. (1) The department shall protect and conserve the natural resources of this state; provide and develop facilities for outdoor recreation; prevent the destruction of timber and other forest growth by fire or otherwise; promote the reforesting of forestlands belonging to this state; prevent and guard against the pollution of lakes and streams within this state and enforce all laws provided for that purpose with all authority granted by law; and foster and encourage **biological diversity and** the protection and propagation of **threatened and endangered species and** game and fish. Before issuing an order or promulgating a rule under this act that will designate or classify land managed by the department for any purpose, the department shall consider, in addition to any other matters required by law, ~~all of~~ the following:

(a) Providing for access to and use of the public land for recreation and tourism.

~~(b) The existence of or potential for natural resources-based industries, including forest management, mining, or oil and gas development on the public land.~~

(b) ~~(c)~~ The potential impact of the designation or classification on private property in the immediate vicinity.

(2) The department has the power and jurisdiction over the management, control, and disposition of all land under the public domain, except for ~~those lands~~ **land** under the public domain that ~~are~~ **is** managed by other state agencies to carry out their assigned duties and responsibilities. On behalf of the people of this state, the department may accept gifts and grants of land and other property and may buy, sell, exchange, or condemn land and other

property, for any of the purposes of this part.

~~(3) If any payment under subpart 13 or 14 of part 21 or section 51106 for land located north of the Mason-Arenac line is not made in full and on time during a fiscal year, then, until the end of that fiscal year, the department shall not purchase surface rights to land located north of the Mason-Arenac line unless 1 or both of the following apply:~~

~~(a) Full payment was made later during that fiscal year.~~

~~(b) The specific acquisition is approved by resolution adopted by the following, as applicable:~~

~~(*i*) If the land is located in a single township, the township board.~~

~~(*ii*) If the land is located in 2 or more townships, the county board of commissioners of the county where the land is located.~~

~~(4) For the purposes of subsections (3) and (9), respectively, land in which the department acquires or owns surface rights does not include any of the following:~~

~~(a) Land acquired under an option agreement in effect on the date when the payment described in subsection (3) became due if the acquisition takes place within 120 days after the payment became due.~~

~~(b) Land in which the department has a conservation easement.~~

~~(c) Land that, before July 2, 2012, was platted under the land division act, 1967 PA 288, MCL 560.101 to 560.293, or a predecessor act and acquired by the department.~~

~~(d) Any of the following if acquired on or after July 2, 2012:~~

~~(*i*) Land with an area of not more than 80 acres, or a right-of-way, for accessing other land owned by the department or for accessing the waters of the state as defined in section 3101.~~

~~(*ii*) Land for a trail, subject to all of the following:~~

~~(A) If the traveled portion of the proposed trail is located within an abandoned railroad right-of-way, the land excluded is limited to the abandoned railroad right-of-way.~~

~~(B) If the traveled portion of the proposed trail is located in a utility easement, the land excluded is limited to the utility easement.~~

~~(C) If sub-subparagraphs (A) and (B) do not apply, the land excluded is limited to the traveled portion of the proposed trail and contiguous land. For the purposes of the exclusion, the area of the contiguous land shall not exceed the product of 100 feet multiplied by the length of the proposed trail in feet.~~

~~(*iii*) Land that, on July 2, 2012 was commercial forestland as defined in section 51101 if the land continues to be used in a manner consistent with part 511.~~

~~(*iv*) Land acquired by the department by gift, including the gift of funds specifically dedicated to land acquisition.~~

~~(*v*) Land acquired by the department through litigation.~~

~~(5) The department shall maintain a record of land as described in subsection (4)(a) to (d). The record shall include the location, acreage, date of acquisition, and use of the land.~~

(3) ~~(6) By~~ **Not later than** October 1, 2014, **and subject to subsection (7)**, the department shall develop a written strategic plan to guide the acquisition and disposition of state ~~lands~~ **land** managed by the department, submit the plan to the relevant legislative committees, and post the plan on the department's website. In developing the plan, the department shall solicit input from the public and local units of government.

(4) ~~(7)~~ The strategic plan ~~shall~~ **must** do all of the following:

(a) Divide this state into **6** regions.

(b) Identify ~~lands~~ **land** managed by the department in each region.

(c) Set forth for each region measurable strategic performance goals with respect to all of the following for land managed by the department:

(*i*) Maximizing availability of points of access to the land and to bodies of water on or adjacent to the land.

(*ii*) Maximizing outdoor recreation opportunities.

(*iii*) Forests.

(*iv*) Wildlife and fisheries.

(*v*) The goals of section 502c.

(d) To assist in achieving the **strategic performance** goals set forth in the strategic plan pursuant to subdivision (c), identify ~~all of the following:~~

~~(*i*) Land to be acquired.~~

~~(*ii*) Land to be disposed of.~~

~~(*iii*) Plans~~ **land** for natural resource management.

~~(e) To the extent feasible, identify public lands in each region that are not managed by the department but affect the achievement of the goals set forth in the strategic plan pursuant to subdivision (c).~~

~~(f) Identify ways that the department can better coordinate the achievement of the goals set forth in the strategic plan pursuant to subdivision (c), recognizing that public lands are subject to multiple uses and both motorized and nonmotorized uses.~~

(e) ~~(g)~~ Identify critical trail connectors to enhance motorized and nonmotorized natural-resource-dependent outdoor recreation activities for public enjoyment.

(5) ~~(8)~~ The legislature ~~approves~~ **endorses** the strategic plan entitled **"Michigan** Department of Natural Resources Managed Public Land Strategy **2021-2027"** issued by the department. ~~and dated July 1, 2013.~~ The department shall implement the most recent ~~legislatively approved~~ strategic plan and shall not change the **strategic** plan except by a plan update proposed ~~pursuant to~~ **under** subsection ~~(10) and subsequently approved by the legislature.~~**(7).**

(6) ~~(9) The~~ **Every 2 years, the** department shall ~~annually~~ submit to the relevant legislative committees and post ~~and annually update~~ on the department's website **an update of** all of the following:

(a) A report on the implementation of the **strategic** plan.

(b) The number of acres of land in which the department owns surface rights ~~north of the Mason-Arenac line, south of the Mason-Arenac line,~~ **in the 6 regions** and in total for this state.

(c) Information on the total number of each of the following:

(*i*) Acres of land managed by the department.

(*ii*) Acres of state park and state recreation area land.

(*iii*) Acres of state game and state ~~waterfowl~~ **wildlife** areas.

~~(*iv*) Acres of land managed by the department and open for public hunting.~~

(iv) ~~(*v*)~~ Acres of state-owned mineral rights managed by the department that are under a development lease.

(v) ~~(*vi*)~~ Acres of state forestland.

(vi) ~~(*vii*)~~ Public boating access sites managed by the department.

(vii) ~~(*viii*)~~ Miles of motorized trails managed by the department.

(viii) ~~(*ix*)~~ Miles of nonmotorized trails managed by the department.

(7) ~~(10) For legislative consideration and approval, as provided in subsection (8), by~~ **Not later than** July 1, 2021, and every ~~6~~ **10** years thereafter, the department shall propose an update to the strategic plan, submit the proposed updated **strategic** plan to the relevant legislative committees, and post the proposed updated **strategic** plan on the department's website. **A strategic plan that is updated after a legacy plan is approved by the legislature under section 502c must be consistent with the most recent legislatively approved legacy plan.** ~~At least~~ **Not less than** 60 days before posting the proposed updated **strategic** plan, the department shall prepare, submit to the relevant legislative committees, and post on the department's website a report that covers all of the following and includes department contact information for persons ~~who~~ **that** wish to comment on the report:

(a) Progress toward the goals set forth in the strategic plan ~~pursuant to~~ **under** subsection ~~(7)(c).~~**(4)(c).**

(b) Any proposed changes to the goals, including the rationale for the changes.

(c) The department's engagement and collaboration with local units of government.

~~(11) Subject to subsection (12), if land owned by this state and managed by the department, land owned by the federal government, and land that is commercial forestland as defined in section 51101 constitute 40% or more of the land in a county, the department shall not acquire land in that county if, not more than 60 days after the department sent the notice of the proposed acquisition to the board under section 2165, the department receives a copy of a resolution rejecting the proposed acquisition adopted by the following, as applicable:~~

~~(a) If the land is located in a single township, the township board.~~

~~(b) If the land is located in 2 or more townships, the county board of commissioners.~~

~~(12) Subsection (11) does not apply to land described in subsection (4)(d).~~

(8) ~~(13)~~ The department may accept funds, money, or grants for development of salmon and steelhead trout fishing in this state from the government of the United States, or any of its departments or agencies, ~~pursuant to~~ **in accordance with** the anadromous fish conservation act, 16 USC 757a to 757f, and may use this money in ~~accordance~~ **compliance** with the terms and provisions of that act. However, the acceptance and use of federal funds does not commit state funds and does not place an obligation ~~upon~~ **on** the legislature to continue the purposes for which the funds are made available.

(9) ~~(14)~~ The department may appoint ~~persons~~ **individuals** to serve as volunteers to assist the department in meeting its responsibilities as provided in this part. Subject to the direction of the department, a volunteer may use equipment and machinery necessary for the volunteer service, including, but not limited to, equipment and machinery to improve wildlife habitat on state game areas.

(10) ~~(15)~~ The department may lease ~~lands~~ **land** owned or controlled by the department or may grant concessions on ~~lands~~ **land** owned or controlled by the department to any person for any purpose that the department determines to be necessary to implement this part. The department shall grant each concession for a term of not more than 7 years based on extension, renegotiation, or competitive

bidding. However, if the department determines that a concession requires a capital investment ~~in~~ **for** which reasonable financing or amortization necessitates a longer term, the department may grant a concession for up to a 15-year term. A concession granted under this subsection ~~shall require,~~ **requires**, unless the department authorizes otherwise, that all buildings and equipment be removed at the end of the concession's term. Any lease entered into under this subsection ~~shall~~ **must** limit the purposes for which the leased land is to be used and ~~shall~~ authorize the department to terminate the lease ~~upon a finding~~ **if the department finds** that the land is being used for purposes other than those permitted in the lease. Unless otherwise provided by law, money received from a lease or a concession of tax reverted land ~~shall~~ **must** be credited to the fund providing financial support for the management of the leased land. Money received from a lease of any other land ~~shall~~ **must** be credited to the fund from which the land was purchased. However, money received from program-related leases on these lands ~~shall~~ **must** be credited to the fund providing financial support for the management of the leased lands. For land managed by the forest management division of the department, that fund is either the forest development fund established ~~pursuant to~~ **in** section 50507 or the forest recreation account of the Michigan conservation and recreation legacy fund provided for in section 2005. For land managed by the wildlife or fisheries division of the department, that fund is the game and fish protection account of the Michigan conservation and recreation legacy fund provided for in section 2010.

(11) ~~(16)~~ When the department sells land, the deed may reserve all mineral, coal, oil, and gas rights to this state only if the

land is in production or is leased or permitted for production, or if the department determines that the land has unusual or sensitive environmental features or that it is in the best interest of this state to reserve those rights as determined by commission policy. However, the department shall not reserve the rights to sand, gravel, clay, or other nonmetallic minerals. When the department sells land that contains subsurface rights, the department shall include a deed restriction that restricts the subsurface rights from being severed from the surface rights in the future. If the landowner severs the subsurface rights from the surface rights, the subsurface rights revert to this state. The deed may reserve to this state the right of ingress and egress over and across land along watercourses and streams. Whenever an exchange of land is made with the United States government, a corporation, or an individual for the purpose of consolidating the state forest reserves, the department may issue deeds without reserving to this state the mineral, coal, oil, and gas rights and the rights of ingress and egress. The department may sell the limestone, sand, gravel, or other nonmetallic minerals. However, the department shall not sell a mineral or nonmetallic mineral right if the sale would violate part 353, part 637, or any other provision of law. The department may sell all reserved mineral, coal, oil, and gas rights to ~~such lands~~ **land** upon terms and conditions as the department considers proper and may sell oil and gas rights as provided in part 610. The owner of ~~those lands~~ **the land** as shown by the records shall be given priority in case the department authorizes any sale of ~~those lands,~~ **the land**, and, unless the landowner waives that priority, the department shall not sell such rights to any other person. For the purpose of this section,

mineral rights do not include rights to sand, gravel, clay, or other nonmetallic minerals.

(12) ~~(17)~~ The department may enter into contracts for the sale of the economic share of royalty interests ~~it~~ **the department** holds in hydrocarbons produced from devonian or antrim shale qualifying for the nonconventional source production credit determined under section 45k of the internal revenue code of 1986, 26 USC 45k. However, in entering into these contracts, the department shall ensure that revenues to the natural resources trust fund under these contracts are not less than the revenues the natural resources trust fund would have received if the contracts were not entered into. The sale of the economic share of royalty interests under this subsection may occur under contractual terms and conditions considered appropriate by the department and as approved by the state administrative board. ~~Funds~~ **The department shall transmit funds** received from the sale of the economic share of royalty interests under this subsection ~~shall be transmitted~~ to the state treasurer for deposit in the state treasury as follows:

(a) Net proceeds allocable to the nonconventional source production credit determined under section 45k of the internal revenue code of 1986, 26 USC 45k, under this subsection ~~shall~~ **must** be credited to the environmental protection fund created in section 503a.

(b) Proceeds related to the production of oil or gas from devonian or antrim shale ~~shall~~ **must** be credited to the natural resources trust fund or other applicable fund as provided by law.

(13) ~~(18)~~ As used in this section:

(a) "Concession" means an agreement between the department and a person under terms and conditions as specified by the department

to provide services or recreational opportunities for public use.

(b) "Lease" means a conveyance by the department to a person of a portion of this state's interest in land under specific terms and for valuable consideration, thereby granting to the lessee the possession of that portion conveyed during the period stipulated.

~~(c) "Mason-Arenac line" means the line formed by the north boundaries of Mason, Lake, Osceola, Clare, Gladwin, and Arenac Counties.~~

(c) ~~(d)~~ "Natural resources trust fund" means the Michigan natural resources trust fund established in section 35 of article IX of the state constitution of 1963 and provided for in section 1902.

(d) ~~(e)~~ "Net proceeds" means the total receipts received from the sale of royalty interests under subsection ~~(17)~~ **(12)** less costs related to the sale. Costs may include, but are not limited to, legal, financial advisory, geological or reserve studies, and accounting services.

(e) ~~(f)~~ "Relevant legislative committees" means the senate and house **of representatives** committees with primary responsibility for natural resources and outdoor recreation and the corresponding appropriation subcommittees.

(f) ~~(g)~~ "Strategic plan" or "plan" means the plan developed under subsection ~~(6),~~ **(3),** as updated under subsection ~~(10),~~ **(7),** if applicable.

Sec. 2106. (1) The department shall maintain on ~~its~~ **the department's** website and make available in writing to persons seeking to purchase land from, sell land to, or exchange land with the department under this part information about relevant requirements and procedures under this part. ~~and section 503(11)~~

~~and (12).~~

(2) If it is in the interests of this state to exchange any of the ~~lands~~ **land** described in section 2104 for ~~lands~~ **land** of an equal area or of approximately equal value belonging to private individuals, the department shall maintain a description of the ~~lands~~ **land** to be conveyed and a description of the ~~lands~~ **land** belonging to individuals to be deeded to this state.

(3) Before any of the ~~lands are~~ **land is** deeded to an individual as provided in this subpart, the person or persons owning any ~~lands~~ **land** to be deeded to this state shall execute a conveyance of ~~those lands~~ **the land** to this state. The department shall accept delivery of the deed. The attorney general shall examine the title to the ~~lands~~ **land** deeded to this state and certify to the department whether or not the conveyance is sufficient to vest in this state a good and sufficient title to the land free from any liens or encumbrances. If the attorney general certifies that the deed vests in this state a good and sufficient title to the deeded ~~lands~~ **land** free from any liens or encumbrances, the department shall within 30 days execute a deed to the individual of the ~~lands~~ **land** to be conveyed by this state.

Sec. 2165. (1) At least 30 days before acquiring, or making a decision to dispose of, lease, or develop ~~, lands~~ **land** that ~~are~~ **is** more than 80 acres in size, the department shall do all of the following:

(a) Provide notice in writing to the legislative bodies of the local units of government where the land is located.

(b) Post the notice on ~~its~~ **the department's** website.

(c) Publish the notice in a newspaper of general circulation in the county where the land is located.

(2) The notice under subsection (1) ~~shall~~ **must** contain all of the following information:

(a) The acreage, the location by address or by distance and direction from specified roads or highways, and the legal description of the land.

(b) The proposed timing of the land transaction.

(c) The proposed use for the land.

(d) The opportunity for the legislative body of a local unit of government where the land is located, or 5 or more residents of or owners of land in the county where the land is located, to request a general public meeting on the proposed transaction and the date by which the request must be received by the department under subsection (3).

(e) A website address where additional information on the proposed transaction can be found.

(f) For ~~persons who wish~~ **any person that wishes** to comment on or ask questions about the proposed transaction, the name, telephone number, electronic mail address, and **postal** mailing address of a department contact person.

(g) For the website notice, the following additional information:

(*i*) For the acquisition, lease from another person, or development of land, the fund source that will be used.

(*ii*) For the acquisition of land, the estimated annual payments in lieu of taxes.

(*iii*) The effect the proposal is expected to have on achieving the strategic performance goals set forth in the strategic plan pursuant to section ~~503(7).~~**503(4).**

(3) If the legislative body of a local unit of government

where the land is located or 5 or more residents of or owners of land in the county where the land is located request a general public meeting and the department receives the necessary request or requests ~~within~~ **not later than** 15 days after providing notice under subsection (1), the department shall meet with the general public in the county where the land is located to discuss the proposed disposition, acquisition, lease, or development. The department shall send a representative to the meeting who is familiar with the proposal.

(4) The department shall provide notice of a meeting under subsection (3) by all of the following means:

(a) Written notice to the legislative body of each local unit of government where the land is located.

(b) Written notice to each resident or owner of land that requested the meeting under subsection (3).

(c) Posting of the notice on the department's website.

(5) The department shall provide an opportunity for representatives of all local units of government where the land is located to meet in person with a department representative who is familiar with the proposed disposition, acquisition, lease, or development to discuss the proposal.

(6) Subsections (1) to (5) do not apply to either of the following:

(a) A lease with a term of 10 years or less.

(b) A lease limited to exploration for and production of oil and gas.

(7) As used in this section:

(a) "Development" means development that would significantly change or impact the current use of the land subject to

development. "Developing" has a corresponding meaning. The removal of a berm, gate, or other human-made barrier under section 504 is not development.

(b) "Newspaper" means that term as defined in section 1461 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1461.