



June 7, 2017
To: House Appropriations Committee
RE: SB 280

Dear Committee members,

The Michigan Environmental Council (MEC) is a coalition of more than 65 member organizations across the state, and we have long followed the conversation regarding public lands in the state. MEC is opposed to SB 280, as we believe it would undermine the long-standing, successful and popular process by which the Michigan Natural Resources Trust Fund has operated for more than 40 years. We are continuing to learn more about the proposal and its problems, including reports that it might be unconstitutional.

While MEC would support a stronger working relationship between the Michigan Natural Resources Trust Fund Board and the Legislature, this proposal does not achieve that. Instead of passing SB 280, we suggest the legislature simply request greater clarity from the board in their planning and strategy development to ensure the program remains solvent and effective in the future, considering that the fund no longer receives annual income from oil, gas and mineral revenues.

Our opposition to the bill as drafted stems from several major concerns, including items such as:

- **We do not believe the state should be using Trust Fund monies to re-buy or provide "reimbursement" for land that is already in public ownership (i.e., federal or state) or is already providing public recreational benefit.** The referenced "restrictions" are likely put in place through various public mechanisms to enhance or protect the land base: either to support wildlife habitat, protect key ecological values or improve the recreational experience of a segment of the public, therefore it would appear this provision is just throwing away the public's money to buy the same land over again.
- Enabling the legislature to expend funds for select projects that were not recommended by the Board undermines the board's proven process and creates high likelihood of political biases being introduced into the funding system.
- Some flexibility should be preserved to complete projects, such as funded projects that have made good faith efforts and achieved measurable progress toward completion within two years be allowed to complete that process (either final acquisition or development) rather than having to abandon and revert mid-project.

- **We think is a particularly bad idea to require that MNRTF funding be pursued and denied prior to seeking any other funding source for a project.** There are many viable sources of funding to support public land acquisition and recreation lands including Forest Legacy Funds, Land and Water Conservation Funds and others. We do not think the state should deny the public opportunities to secure these recreational opportunities by picking one fund as essentially "primary." This could also prevent Michigan from getting taxpayer money back from the federal government and having Michigan residents subsidize other states with their tax dollars.
- **Land use restrictions and changes to those restrictions are typically proposed by scientific and recreation professionals to support wildlife habitat, protect key ecological values or enhance the recreational experience of a segment of the public.** There is an existing land use order process that would ensure the public has the opportunity to weigh in on proposed changes through the Natural Resources Commission, while still ensuring the ability of professionals to learn about the resource, adapt to changing conditions, and introduce management approaches that benefit the lands and health of the resource. **These should not be subject to local veto because the lands are there to benefit all the people of the state, not just those who reside in the local community.**

We ask you to oppose SB 280, as it puts at risk many of the opportunities the Trust Fund has provided to the state of Michigan since its inception. We also ask that you break the tie bar from SB 76 and move forward the as introduced version of that bill to ensure that the trust fund process stands above politics and serves the people as outlined in the Constitution.

Thank you,



Sean Hammond
Deputy Policy Director