



December 9, 2014

House Natural Resources  
Lansing, Michigan

Re: SB 78 – Details regarding conflicting provisions of NREPA

Dear Representatives,

The Michigan Environmental Council is a coalition of 67 member organizations from across Michigan, working to protect Michigan's magnificent natural resources. On behalf of these members, we ask you to oppose SB 78 or limit its application to address specific concerns raised by the bill's sponsor by defining the perimeters of the Biological Stewardship Area Program.

Land managed for biodiversity is an asset, not a liability, and is fitting with Michigan's long tradition of using the best science-based approaches to land management. The *2011 State of Michigan's Environment Report* highlights that biodiversity is a critical concern for Michigan's future. For example, tracking plant and animal diversity helps our state monitor and respond to threats to our forests, crops and waterways from invasive species. According to the report, "Invasions of terrestrial and aquatic ecosystems by exotic nuisance species now rank second only to habitat loss as the major threat to biodiversity in the Great Lakes Basin." (18) Similarly, it suggests that "data on plant diversity can be used to evaluate species richness patterns over time. This information will help to evaluate the effect of exotic plants relative to their native counterparts." (8)

Professors from University of Michigan, Michigan State University and Northern Michigan University practicing in the field of natural resource management testified that the bill was in direct opposition to the consensus position that biological diversity is a goal to strive toward when trying to maximize economic potential of natural resources. They agreed that the bill would threaten the DNR's ability to protect, restore and properly manage the natural resources of the state. The bill is also problematic in that it is in direct contradiction to a number of long standing provisions of Michigan law, including the Endangered Species Act, designed to protect the most threatened of Michigan's species and what makes Michigan a destination location for tourist from around the world.

To date, we have identified the following conflicts between SB 78 and other provisions of the Natural Resources and Environmental Protection Act:

SB 78 (S-1) starting on page 3, line 4:

(7) THE DEPARTMENT, DIRECTOR, OR COMMISSION SHALL NOT PROMULGATE OR ENFORCE A RULE OR ISSUE OR ENFORCE AN ORDER UNDER THIS ACT THAT DESIGNATES OR CLASSIFIES AN AREA OF LAND SPECIFICALLY FOR THE PURPOSE

MCLA 324.52503 states in part:

“(1) The department shall adopt a forestry development, conservation, and recreation management plan for state owned lands owned or controlled by the department.

(2) The plan and any plan updates shall include all of the following:

...

(d) A landscape management plan for the state forest incorporating biodiversity conservation goals, indicators, and measures.”

...

(g) An identification of the need for forest treatments to maintain and sustain healthy, vigorous forest vegetation and quality habitat for wildlife and environmentally sensitive species.

SB 78 would prohibit the classification of any lands for the purpose of achieving or maintaining “biodiversity conservation goals”. Such requirements are a key to maintain the sustainable certification of Michigan forestland.

Biodiversity is also fundamental to the state’s Forest Action Plan, which helped Michigan bring in \$22 million for cooperative agreements in recent years, including \$800,000 in Great Lakes Restoration Funds for five projects including Chevy in the Hole restoration efforts in Flint. Removing biodiversity as a forest management tool available to the DNR risks the state’s ability to do cooperative agreements to handle EAB, Fire Management, and Private Land stewardship programs. It would undermine our eligibility for program such as America’s Great Outdoors or other emerging programs, many of which include biological diversity as a goal.

SB 78 is unnecessary and counterproductive. We urge members to oppose the legislation.

Sincerely,



James Clift, Policy Director