



Senate Fiscal Agency
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Senate Bill 1124 (as introduced 11-14-24)
Sponsor: Senator Sue Shink
Committee: Natural Resources and Agriculture

Date Completed: 12-9-24

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act (NREPA) to require the Department of Natural Resources (DNR) to develop and implement upon the Legislature's approval a legacy plan that conserved 30% of the State's total area of land and water, which could not include the Great Lakes or Lake St. Clair, by 2030. Generally, the DNR would have to consider in the plan's development public input, expert opinions, and the plan's contribution to the environment and access to outdoor recreation.

Legacy Plan

The bill would require 30% of the State's total area of land and water to be conserved by 2030. The land and water conserved would have to include State, Federal, and municipal lands and waters, voluntarily conserved Tribal lands, and voluntarily conserved private holdings, and could not include the Great Lakes or Lake St. Clair. The DNR would have to develop a legacy plan to implement the land and water conservation requirement. In developing the legacy plan, the DNR would have to do all the following:

- Solicit public comments on the legacy plan and conduct a public meeting on the plan in the southeast, southwest, northeast, and northwest areas of the Lower Peninsula and the east and west areas of the Upper Peninsula.
- Solicit input from private owners of forestlands and agricultural lands; land trusts; conservation, environmental, and social justice organizations; working lands enterprises; outdoor recreation groups; Indian tribes; regional planning commissions; conservation districts; relevant State and Federal agencies, including the Michigan State Housing Development Authority; and other interested parties.
- Consider the plan's contribution to ecology, biological diversity, endangered or threatened species, climate, public access, environmental justice communities, sensitive ecological areas and ecosystems, ecological corridors, other factors supporting the health and resilience of the State's ecosystem, environment, wildlife, and people.
- Post the proposed legacy plan on its website.
- Submit the proposed legacy plan for review to the Senate and House committees with primary responsibility for conservation issues.

The legacy plan would have to be based on the most recent science regarding conservation, protection, and sustainable use of lands and resources and include all the following:

- Identification and monitoring of biologically diverse areas with special attention to sensitive areas and areas of urgent concern for biological diversity loss; identification of areas designated for restoration, where restoration was occurring, and where restoration had been completed; and maintenance, monitoring, and use of scientifically appropriate data collection tools to ensure conservation and protection of biologically diverse areas.

- An inventory of land uses in the State, with a description of each, including ownership patterns, loss of natural space and farmland in real area and percentage from previous years, and areas where land uses have largely destroyed the land's ability to provide ecosystem services.
- An inventory and assessment of existing programs and conservation practices and recommendations for new programs and conservation practices to be used to meet the bill's 30% land conservation requirement.
- An assessment of existing funding and recommendations for new funding sources for acquisition of land, staffing, and long-term stewardship to comply with the bill's 30% land conservation requirement.

Under the bill, the DNR could not implement the legacy plan unless the plan had been approved by legislation. The DNR would have to implement the most recent legislatively approved plan and could not change the legacy plan except by a plan update subsequently approved by the Legislature. The bill would require the DNR to post the plan on its website, annually report to the Legislature on progress in implementing the plan, collaborate in meeting plan requirements, and update annually the inventory of land use to track plan compliance.

Consistency Between the DNR's Strategic Plan and Legacy Plan

Currently, NREPA requires the DNR to develop and report to the Legislature a written strategic plan to guide the acquisition and disposition of State land managed by the DNR. Among other requirements, the strategic plan must set forth for each DNR-established region of the State measurable strategic performance goals with respect to specific consideration, such as wildlife and fisheries and the maximizing of outdoor recreation opportunities. Under the bill, the DNR also would have to set forth for each DNR-established region of the State measurable strategic performance goals with respect to the goals of its legacy plan established under the bill.

The bill specifies that a strategic plan updated after the Legislature approved the bill's legacy plan would have to be consistent with that legacy plan.

Definitions in the Bill

"Biological diversity" would mean variability within and between species of organisms and variability of the terrestrial and aquatic ecosystems and the ecological complexes they inhabit. "Biologically diverse area" would mean a land or aquatic area with biological diversity.

"Conserved" would mean made subject to durable measures that support thriving biological diversity, contribute to climate resilience, and provide ecosystem services, such that the natural character, resources, and functions of lands and waters are permanently maintained or enhanced, both individually and as part of an interconnected network of healthy lands, including working lands, and waters, while allowing for compatible recreational opportunities and sustainable production of natural resources. "Water" would not include the Great Lakes or Lake St. Clair.

"Ecosystem" would mean a dynamic complex of plant, animal, and microorganism communities and their nonliving environment interacting as a functioning unit. "Ecosystem services" would mean 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, and human recreation and well-being. "Ecological corridor" would mean a clearly defined geographical space that is governed and managed over the long term to maintain or restore effective habitat connectivity where required to build ecological networks for conservation.

"Habitat connectivity" would mean the components of the landscape that facilitate the movement of organisms and occurrence of natural processes between intact patches of habitat. The processes could be biotic, such as plant propagation and genetic exchange, or abiotic, such as the cycling or conversion of energy, water, or materials. The term could be process- or species-specific and could be natural or facilitated by humans.

"Environmental justice community" would mean a community that is disproportionately affected by environmental hazards and social inequalities.

"Sustainable use" would mean 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, thereby maintaining its potential to meet the needs and aspirations of present and future generations.

MCL 324.503 et al.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have an indeterminate negative fiscal impact on the DNR. Initial impacts would include administrative costs of developing and updating the legacy plan as outlined within the bill. Additional, likely significant costs would be incurred while implementing the legacy plan in an effort to conserve 30% of the State's land and water by 2030. Currently, approximately 24% of the State's land area is protected and 19% of its water is protected.

Fiscal Analyst: Jonah Houtz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.