

Chapter 5: Principles and Recommendations for Land Resource–Based Industries

Michigan’s land resource–based industries of agriculture, forestry, tourism and recreation, and mining account for \$37.6 billion (17 percent) of Michigan’s economic output, contribute immensely to the character of Michigan’s landscape, and supply many products that sustain our quality of life. For example:

- Agriculture and food processing contribute \$15 billion directly to Michigan’s economy.
- Tourism accounts for 350,000 jobs and \$12 billion directly to Michigan’s economy.
- Forestry provides 150,000 jobs to Michigan citizens and \$9 billion directly to Michigan’s economy.
- Twenty-one minerals are mined in Michigan and the nonfuel sector of the industry provides 9,000 jobs and \$1.6 billion directly to Michigan’s economy.
- In many areas, development of open spaces is altering the character of Michigan’s rural landscapes, jeopardizing a highly valued tourism asset.

Land use decisions and development patterns have a significant impact on this important sector of Michigan’s economy. A 1995 Michigan Society of Planning Officials publication, *Patterns on the Land: Our Choices—Our Future*, explored the long-term productivity of these land resource–based industries and concluded that their future may be at stake if current land development trends continue.

The Michigan Economic and Environmental Roundtable and Public Sector Consultants Inc. followed up on the 1995 study with the Michigan Land Resource Project (MLRP)—a project that examined how land use trends will affect the state economy and character through 2040. The researchers found more than an eightfold increase of urban land usage in relation to the population increase between 1980 and 1995. This ratio epitomizes the problem of sprawl: the amount of land we are using is not commensurate with our population. In addition, developed land is expected to increase by 178 percent by 2040 (see Exhibit 3 in Chapter 2).

Among other major findings of the report:

- Michigan will lose 25 percent of its orchard land in the next 40 years.
- Michigan will lose 1.9 million acres of farmland in the next 40 years. Land available for hunting will dramatically decrease, while “edge” species such as white-tailed deer will continue to increase in numbers.
- “Built” land will increase by 4.1 million acres across the state, more than tripling the existing amount of built land.
- The state’s destination resorts, particularly those in the northern Lower Peninsula, are threatened by encroaching development that conflicts with the rural character along the travel corridors that lead to them.

- In order to keep forestry harvesting costs down, access to large parcels is necessary. As the land becomes more fragmented, the price for harvesting Michigan's timber will increase.
- Mining, agriculture, and forestry are unable to compete with the value of the land for other uses, and large contiguous parcels are being fragmented into smaller, less economically viable blocks.
- As now-rural areas become more populated, there will be additional confrontations between new residents (unfamiliar with land resource-based industry practices and procedures) and the companies or family farms that gain their livelihood from the land.

These land resource-based industries rely on Michigan's natural environment. Sustainable use of Michigan's lands, including economic growth and enhanced human well-being, requires a continued flow of services from both the wild and human-managed ecosystems of the state. These ecosystems provide many critical services including water purification, ground water recharge, flood mitigation, local climate moderation, and pollination. They are the basis for forestry, agriculture, tourism, and recreation. Biodiversity, which refers to the variety and abundance of life in an ecosystem, is critical to the ability of an ecosystem to provide these services. Land use decisions are usually incremental and are a result of tradeoffs between environmental and other goods. Thus, land use decisions need to be made in a context that recognizes the value of these ecosystems.

Michigan's two peninsulas are surrounded by four of the five Great Lakes. The state's Great Lakes shoreline, its rivers, inland lakes, and diverse land resource-based natural habitats support a complex array of interrelated plant and animal communities that contribute to the quality of life that attracts residents and millions of travelers, who recreate in our state. The state's ownership and management responsibility for 25 million acres of Great Lakes waters creates a major stewardship role for Michigan in preserving the ecological health of this unique national and international resource. What happens on the land is a major factor in determining whether individual components of this complex system will remain healthy, to sustain the uses and quality of life for present and future generations.

Generally, land use trends in Michigan over the last half-century have had a major negative effect on biodiversity, primarily through the urbanization of land and the attendant destruction of habitats far beyond the need to support human population growth and a prosperous economy. New approaches are needed to better protect biodiversity in Michigan. Examples include (1) government/private sector partnerships that identify and protect critical habitats and important biological processes while allowing productive uses of the land, and (2) holistic ecological evaluations to assure that long-term impacts associated with biological diversity are considered.

In addition to its intrinsic value, preserving the integrity of natural systems is essential to the quality of life of Michigan residents in many demonstrable ways. In formulating its recommendations for Michigan's land resource-based industries, the council established the following guiding principles.

GUIDING PRINCIPLES

- Michigan’s land resource–based industries—agriculture, tourism, forestry, and mining are critical components of the Michigan economy, shape the character of its landscape, and contribute to the state’s overall quality of life.
- The value and diversity of all Michigan’s land resource–based industries and related services should be protected and enhanced.
- Land use decisions should ensure that the natural resources of Michigan are sustainable to meet the needs of future generations.
- Biological diversity and ecological processes are vital to the state’s economic prosperity and provide a measure of a healthy environment that should be considered in decisions affecting land use.
- State and local policy must recognize that fragmentation of the landscape can have profound negative effects on forestry, agriculture, and tourism. Forestry and agriculture require large blocks of land in which to operate, and tourism often benefits from landscapes with significant open space.
- Planning for the future of those industries is just as important as planning for industrial, commercial, and residential development.
- Open space, view corridors, the environment, fish and wildlife habitat, viewsheds, and other natural resources have intrinsic, social, and economic value and should be protected and enhanced.
- The concept of “working lands” conservation programs that encourage landowners to protect environmental assets while continuing to use the land for productive purposes is an effective means to preserve valuable components of the natural environment.
- Air and water quality are essential to protect public health and welfare and contribute to the attainment of sustainable economic and quality-of-life goals.
- Michigan’s land resource–based industries are often interdependent, with agriculture and forestry contributing enormously to the state’s tourism industry. State policy should reflect that interdependence.
- The most cost-effective land use policy is to avoid degrading sensitive land and coastal and aquatic environments rather than repairing or restoring degraded natural resources or systems.
- New environmental policies are needed to emphasize prevention and incremental environmental degradation of natural resources that are not addressed by existing environmental statutes, which often focus on “end of pipe” pollution reduction goals.
- The state should foster the use of the best scientific information, experience, and practices for ecologically sustainable land use and development of natural resources.

RECOMMENDATIONS

The council recommends the following actions to foster the continued health of Michigan’s land resource–based industries:

Information and Education

1. **Improved data collection, analysis, and access.** Information is an invaluable tool for local planning as well as for understanding changes in land use over time and the effects of those changes on Michigan’s land resource–based industries and the environment. In an effort to provide more information to decision makers:
 - a. The state should complete its natural features inventory and update its 1978 Michigan Resource Information System (MIRIS) Current Use Inventory by completing a new round of aerial photography and land classification and, where appropriate, utilizing existing satellite imagery on a statewide basis, and integrate the new information with the Michigan Center for Geographic Information’s Michigan Geographic Framework program.
 - b. The state should develop a statewide historic resource geographical information system (GIS) database consistent with and included in the Michigan Center for Geographic Information’s Michigan Geographic Framework program to assist communities in planning and tourism efforts and in the marketing and development of historic properties and districts.
 - c. The governor and the legislature should support research, development, and training at Michigan’s universities to develop and deploy new technologies for monitoring and analyzing the condition of Michigan’s environment. Developing and producing these monitoring technologies can be a profitable and stable enterprise in Michigan.
 - d. The governor and relevant state agencies should prepare a “State of Michigan Land Use and Environment” report for the legislature every five years. The report should include, but not be limited to, statewide and county information about:
 - (1) The amount of farmland in active production, including the types of farms and agricultural production industries in the state
 - (2) The amount of forestland in active production
 - (3) The change in land cover by county (including the addition of built land), with an explanation of the likely reasons for these changes by land use category (e.g., industrial, residential, commercial, urban, water, agricultural land, forestland, recreational land, etc.)
 - (4) The number of Michigan citizens housed each year in new construction
2. **Information and outreach.** The governor and legislature, through Michigan’s organizations and educational institutions, should support public research, information, and education programs for the general public and policymakers that:
 - a. Identifies the importance of the natural environment and how it contributes to economic prosperity and the quality of life of all citizens
 - b. Outlines specific actions to help sustain biodiversity while maintaining and improving economic and environmental sustainability

- c. Explains the role and value of wetland, natural river, and sand dune protection and other state environment land use programs in protecting and enhancing natural environments

Agricultural Production Profitability and Associated Land Preservation

3. **Agricultural Production Areas (APAs).** To maintain Michigan's various agricultural industries for the foreseeable future, the legislature should modify and enhance P.A. 116 to permit local units of government cooperatively and voluntarily to identify and establish APAs. Consideration should be given to the following guidelines when an APA program is developed:

- a. Minimum life cycle for APAs
- b. Size sustainability relevant to type of agricultural activity (e.g., livestock, soybeans, fruit, etc.).
- c. Meaningful recapture provision upon withdrawal, proceeds from which should be dedicated to farmland preservation initiatives [Reservations: J. Barrett, Sen. P. Birkholz, Rep. R. Johnson; Objections: R. Jones, M. McGraw]
- d. Providing incentives to landowners to keep their land in agricultural production. Incentives should include:
 - (1) Reduced property taxes on farmland
 - (2) Enhanced eligibility for purchase of development rights (PDR) funding (Note: this would require a change to P.A. 262 of 2000)
 - (3) Exemption of farmland (but not the dwelling unit) from special assessments as allowed in P.A. 116 (which does not allow exemption from farm drainage)
 - (4) Exemption of farmland from real estate transfer tax as long as land is kept in agricultural production
 - (5) Special review by the Michigan Commission on Agriculture when farmland within an APA is proposed for eminent domain or municipal annexation, to recommend any available alternatives
 - (6) Allowing landowners to be enrolled into both P.A. 116 and an APA to receive benefits offered by both programs

Eligibility for these APA benefits should be conditional on adherence to state and federal environmental, public health, and other relevant laws.

In addition, the legislature should amend the existing Right to Farm law to include a requirement that potential and current residential property owners within an APA be notified of the consequences of owning property in such an area (i.e., living near agricultural operations) at time of purchase and in their annual tax bill.

In the absence of APAs, the legislature should enable use value assessment, along with a penalty for withdrawal commensurate with the benefits received, of land in

active agriculture or silviculture, or any development-limited lands (as defined by statute), such as wetlands, sand dunes, flood plains, and wellheads.

[Reservations: G. White]

4. **Purchase of development rights (PDR).** Funding available for the state's current PDR program is inadequate. Interest from farmers far outstrips available funding. The program is in need of a dedicated and consistent funding source beyond that currently provided under P.A. 116. [Reservations: J. Barrett, Rep. R. Johnson, R. Jones, M. McGraw, G. White]
5. **Market-driven density enhancement program.** See recommendation 25b. (7) in Chapter 6: Planning and Development Regulations. [Objections: J. Barrett, Rep. R. Johnson, R. Jones, M. McGraw, G. White]
6. **Viable value-added agriculture.** The ability to add value to Michigan agricultural commodities and agricultural land will continue to be key in keeping farmers profitable and farming sustainable. The state should continue to support existing incentive-driven, value-added programs that protect the environment, increase the profitability of farmers, and thus preserve farmland. For example, the state could:
 - a. Invest in on-farm technical assistance, education, and technology
 - b. Expand direct farm marketing and agricultural tourism
 - c. Support export market expansion
 - d. Provide support to the food processing industry by, for example, creating programs that provide incentives for the retention, expansion, and recruitment of food processing facilities
 - e. Promote programs assisting young farmers, such as 4-H, Future Farmers of America (FFA), and other leadership development educational programs
 - f. Pursue development of nonfood bio-based industries that provide genuine economic benefit, through incentives that do not negatively impact other sectors of the economy
 - g. Pursue utilization of wind power and other renewable energy generation options by establishing state siting standards

In addition, the state should develop new value-added programs and other economic strategies that increase the profitability of farmers.

7. **State standards for Concentrated Animal Feeding Operations (CAFOs).** The issue of effectiveness of the CAFO regulations was raised during council deliberations. In discussion on this issue, the council recognizes that, due to changes occurring in agriculture structure, agriculture technology, and residential patterns in rural areas, changes to CAFO regulations may be appropriate. Therefore, it is recommended that the governor direct the Michigan Department of Agriculture (MDA) and the Michigan Department of Environmental Quality (MDEQ) to work

with representative stakeholder organizations to examine and develop recommendations related to the effectiveness of state CAFO regulations and ensure swift and effective enforcement of all applicable environmental laws and regulations. [Reservations: Rep. R. Johnson, L. Pollack, G. White; Objections: B. Warner, W. Wood]

Forest Products Industry Profitability and Associated Land Preservation

8. **Commercial Forest Program.** The council recognizes the importance of the millions of acres of commercial forestland enrolled in the state's Commercial Forest Program and supports the development of an updated formula for determining the appropriate tax rate.
9. **Small forest tax incentives.** The legislature should provide tax incentives to small, nonindustrial forestland owners to encourage keeping this land in and managed primarily as forestland. The land would have to be managed using best management practices under a recognized management plan. A meaningful recapture provision should be implemented at time of land conversion to non-forestland, proceeds from which should be dedicated to forestland preservation initiatives. [Objections: R. Jones] The incentives could be provided by:
 - a. Amending the general property tax provisions to include forests and tree farming as agricultural land
 - b. Amending the private forest reserve taxation structure to permit two-tiered tax treatment on a private forest reservation depending on the landowner's willingness to grant public access [Reservations: R. Jones]

[Reservations: J. Barrett, Sen. P. Birkholz, Rep. R. Johnson, G. White]
10. **State forestland management.** State policies should support viable forest products and forest-based tourism industries. The four-million-acre state forest system should support these industries through appropriate ecologically sustainable management that increases the output of timber and recreational opportunities.

Natural Environment

11. **Conservation Reserve Enhancement Program (CREP).** The state should work to expand the federal/state partnership under the CREP. The program, which pays farmers to establish and maintain buffer strips along watercourses, has proven to benefit farmers, wildlife and wildlife corridors, and water quality. It is currently limited to granting opportunities to the Saginaw Bay, River Raisin, and Lake Macatawa watersheds. Expansion of CREP would enable Michigan to leverage federal funding at a minimum ratio of 4:1 for the life of the federal farm bill. This expanded program could be modeled after Iowa's Resource Enhancement and Protection program and/or the Reinvest in Minnesota program. [Reservations: J. Barrett]
12. **Coastal conservation and waterfront development and redevelopment.** The council recommends that:

- a. The state should establish statewide policies that prioritize shoreline protection in concert with compatible commercial and residential waterfront development and redevelopment, particularly where communities abut a shoreline. These policies should recognize the importance of capitalizing on the commercial and water-dependent recreational value of the state’s coastal assets, while achieving the following goals:
 - (1) Maintain and enhance public access
 - (2) Protect and enhance viewsheds [Objections: R. Jones, M. McGraw]
 - (3) Identify, protect, and restore habitat [Objections: R. Jones]
 - (4) Protect and restore coastal biodiversity [Reservations: M. McGraw; Objections: R. Jones]
 - (5) Protect coastal dependant uses [Objections: R. Jones]

These policies should be implemented through the appropriate multijurisdictional or local planning commissions.

[Reservations: R. Jones; Objections: M. McGraw]

- b. The Michigan Departments of Environmental Quality and Natural Resources should consistently administer and enforce existing coastal resource protection statutes and implement coastal conservation policies that:
 - (1) are supported by established scientific principles with consideration of emerging research,
 - (2) are consistent with coastal zone management principles and overall protection of the Great Lakes ecosystem,
 - (3) improve existing coastal zone regulations, and
 - (4) enhance cooperation, research, and planning among the State of Michigan, universities, communities, and other organizations involved with the protection of the Great Lakes ecosystem.

[Reservations: M. McGraw; Objections: R. Jones]

- c. The MDEQ should examine current environmental permit procedures and processes applicable to coastal conservation/development and identify where permit decisions can be expedited and made more consistent and the procedures/processes simplified.

[Reservations: G. White]

13. **Protection of headwater areas.** Headwater areas play an important role in water quality downstream and are important to the sustainability of Michigan’s land resource–based industries. The protection of source water areas is a cost-effective means of protecting water quality. The governor and the legislature should:

- a. Provide financial assistance to local units of government or nonprofit conservation organizations for the acquisition of land or rights in land that preserve critical headwaters areas
 - b. Provide incentives to private landowners to establish natural stream buffers, implement best management practices, and protect water quality
 - c. Assure that headwaters on public lands are managed to protect water quality
 - d. Require that drains constructed in headwater areas include conservation practices [Reservations: W. Wood; Objections: B. Warner]
14. **Review approval process for alternative waste disposal systems.** See recommendation 3b. in Chapter 7: Infrastructure and Community Services and 25a. (9) in Chapter 6: Planning and Development Regulation.
15. **Protection of Michigan’s scenic resources.** Michigan relies on its magnificent scenic character to attract businesses and tourists and enhance the quality of life for all its residents. The council recommends that the governor direct the Michigan Department of Transportation (MDOT) to propose a billboard management program with the following elements:
- a. Enhance the state’s logo and tourist outdoor destination signage (TODS) to attract and direct travelers and support businesses and tourist attractions.
 - b. Identify best practices and develop strategies to make Michigan competitive with other states that have eliminated and/or controlled the proliferation of billboards. [Objections: J. Barrett, R. Jones, M. McGraw]
 - c. Recommend a fee structure that would generate revenue to remove illegal and nonconforming billboards, increase the enforcement of laws prohibiting cutting of vegetation in front of billboards, restore illegally cut natural vegetation, and begin to restore the scenic viewscapes in Michigan. [Objections: J. Barrett, R. Jones, M. McGraw]
- [Reservations: Rep. R. Johnson; Objections: B. Warner]

Governmental Programs

16. **Land Division Act reforms.** The legislature should initiate a comprehensive revision of the land division act to:
- a. Shorten the plat review and approval time [Reservations: L. Pollack]
 - b. Greatly reduce the number of nonplatted land divisions
 - c. Eliminate the ten-year redivision process [Reservations: J. Barrett]
 - d. Encourage compact development [Reservations: Rep. R. Johnson]
 - e. Require applicants to submit plat requests to the appropriate departments (i.e., County Drain Commission, County Road Commission, County Plat Board,

District Health Department, MDOT, MDEQ) simultaneously for review, as opposed to the current sequential review process.

[Reservations: G. White]

17. **Land management assistance program coordination.** The governor should encourage coordination, with possible assistance provided by private and nonprofit organizations, between state and federal land management assistance programs to encourage greater landowner participation in programs such as the Wetland Reserve Program, Conservation Reserve Program, Conservation Reserve Enhancement Program, Forest Stewardship Program, and Forest Land Enhancement Program.
18. **Leverage additional federal funding with state investment:** The governor and legislature should identify the state funds necessary to leverage Michigan's fair share of federal funding for farmland protection and conservation programs. Many federal farmland protection and conservation programs (e.g., CREP and Forest Legacy) match every dollar spent by the state with three or more additional dollars of federal funding. Michigan cannot afford to continue to forgo the opportunity to secure a minimum of a 3:1 federal match for state spending on farmland protection and conservation efforts. [Reservations: J. Barrett, R. Jones, M. McGraw]
19. **State agency coordination.** Simplify and increase state intra- and interagency coordination of state grant programs that protect sensitive environments by:
 - a. Creating a clearinghouse and, where possible, "one-stop-shopping" opportunities for land protection grant programs such as the Michigan Natural Resources Trust Fund, Federal Forest Legacy Program, the Federal Land and Water Conservation Fund, Federal Coastal Zone Management Funds, state watershed protection funding, and other funding sources for state and local land acquisition
 - b. Examining opportunities within the permit review process to coordinate permit issuance and conditions with the grant programs

Incentives and Resources for Land and Cultural Preservation

20. **Encourage both nonregulatory and incentive-based approaches to land preservation.** The governor and legislature should establish policies that encourage both nonregulatory and incentive-based approaches to land preservation by:
 - a. Creating government-sponsored, low-interest loans that allow nonprofit conservation organizations and local governments to acquire an interest in private land to protect critical natural environments and preserve farmland and open space through the purchase of development rights, conservation easements, and similar mechanisms [Reservations: J. Barrett, R. Jones, M. McGraw]
 - b. Providing new state tax incentives for protecting land through state and local governments, nonprofit land trusts, and historic preservation organizations, including encouraging conservation gifts with a tax credit for the donation of land or rights in land to qualifying conservation or historic preservation organizations, and encouraging conservation sales to land trusts and historic preservation

organizations by reducing state taxes on the income received from the sale of land or rights in land to qualifying organizations [Reservations: J. Barrett]

21. **Trailways.** Trails for motorized and nonmotorized recreation and transportation are crucial components of Michigan's tourism industry. The state should:
 - a. Provide incentives for all affected parties in order to develop and maintain trailways and to avoid the interruption of trailways vital to recreation and tourism interests
 - b. Encourage a statewide linked system of trails and recreation, as outlined in the Michigan Trailways Act
 - c. Place emphasis on securing abandoned rights-of-way (such as railroad rights-of-way) and avoiding condemnation [Reservations: W. Wood]
22. **State incentives for habitat protection and outdoor recreation opportunities.** Funding available under the Michigan Natural Resource Trust Fund (MNRTF) is inadequate. The governor and legislature should explore ways to supplement the funding available from the MNRTF, with additional funding for local habitat protection and outdoor recreation needs. [Reservations: J. Barrett, R. Jones]
23. **National Historic Area designation.** The governor should request that the Michigan Department of History, Arts, and Libraries (HAL) create a comprehensive incentives program for designated National Historic Areas such as the Motorcities-Automobile National Heritage Area and the Keweenaw National Historic Park to encourage economic revitalization and tourism.
24. **Securing resources for land and cultural preservation.** The council recommends that the governor and legislature consider issue-specific bond financing, if fiscally appropriate, as one of the means of financing for farmland protection, local habitat and outdoor recreation, historical and cultural assets, urban redevelopment, and other appropriate capital needs. In addition the state should support research at public universities to investigate additional alternative funding resources. [Reservations: J. Barrett, Sen. P. Birkholz, Rep. R. Johnson, R. Jones, M. McGraw]