



**METAMORA**  
LAND PRESERVATION ALLIANCE

**ZONING & STATE PERMITTING BILLS  
H4526, H4527, H4528**

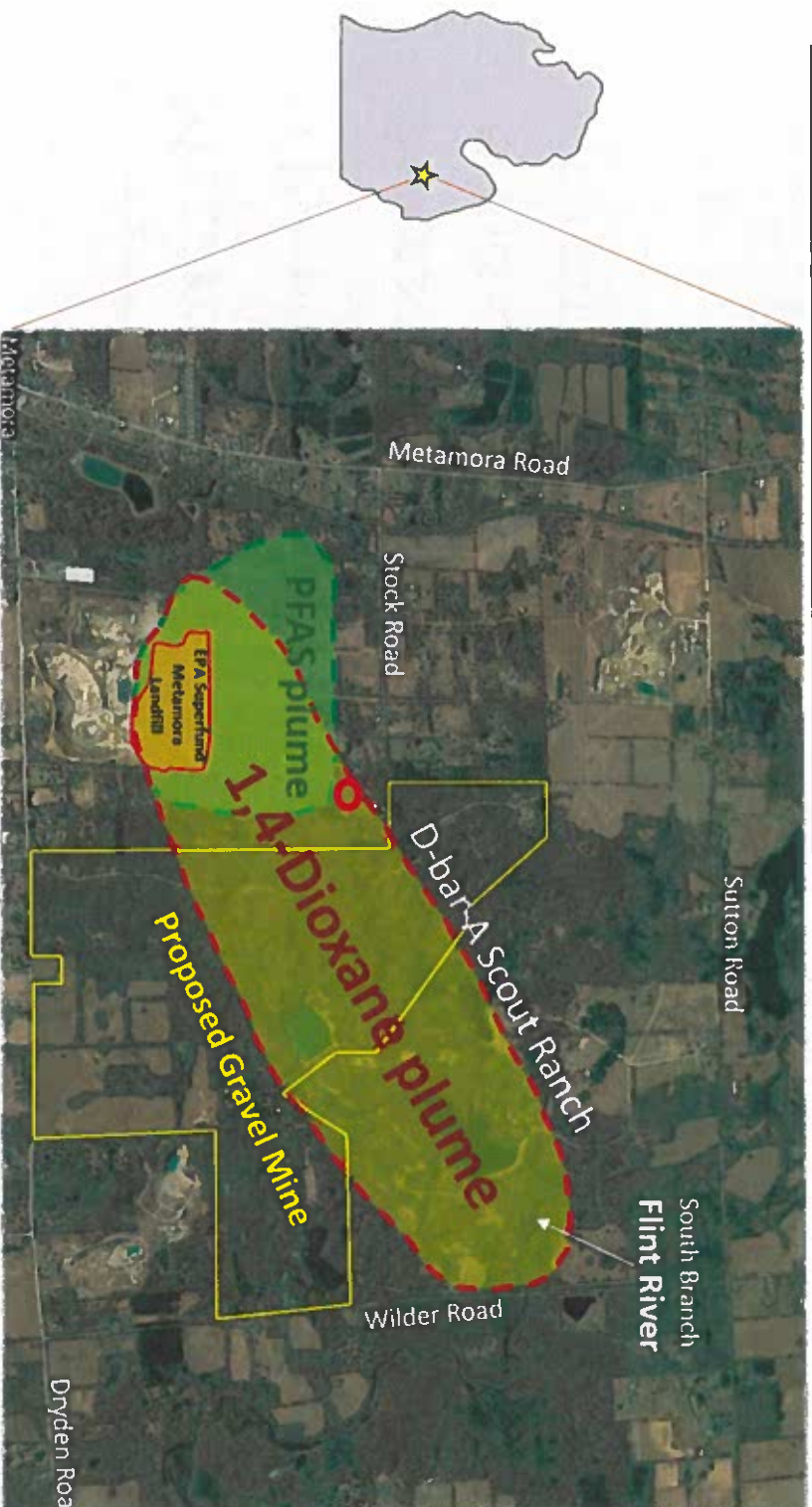
MICHIGAN HOUSE OF REPRESENTATIVES  
REGULATORY REFORM COMMITTEE MEETING

MAY 9, 2023

SETTING THE RECORD STRAIGHT!

- Bills are NOT about “Fixing the Damn Roads”
- Voting YES on these Bills is a Vote for Dirty Water!

## METAMORA LANDFILL EPA SUPERFUND SITE



Flint River runs through contamination plume and eventually through city of Flint.

**“1,4-Dioxane was detected in 55 of the 61 wells currently monitored” – 2022 EPA report**

SETTING THE RECORD STRAIGHT!

- **Metamora is NOT a NIMBY community!**
- Home to 4 active sand & gravel mines
- Home to an actively monitored EPA Superfund site. Big Gravel wants to locate industrial-scale mega-mine **DIRECTLY** in the contamination plume!



**WE JUST WANT TO DRINK OUR WATER!**

## THE GRAVEL BILLS ARE BASED ON A SHAM STUDY

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Detroit Free Press, June 6, 2019
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## THE GRAVEL BILLS ARE TERRIBLE POLICY – PART I

### Zoning bill:

- “Need for the resource” would no longer be considered – even though supposed need for gravel is the entire justification for the bills. – Section 205(4)(a).
  - 1,384 Sand & Gravel sites in Michigan
  - 613 Aggregate suppliers currently registered with MDOT
  - 95% of Sand & Gravel mining permits in past 5 years have been approved!
- Not about “fixing the damn roads.”

## THE GRAVEL BILLS ARE TERRIBLE POLICY – PART 2

### State permitting bill:

- Preempts (wipes out) all local ordinances addressing gravel mining, crushing, and processing. *Mines could sited anywhere – in a neighborhood or next to a school, hospital, or nursing home.* – Section 63903. *No other Great Lakes state does this.*
- Allows mining 50 feet from neighbor property lines and rock crushing 300 feet from homes. – Section 63905(h)(ii).
- Allows trucks to haul through any neighborhood 13 hours per day on weekdays, 11 hours on Saturdays, and potentially more. – Section 63905(q).

## THE GRAVEL BILLS ARE TERRIBLE POLICY – PART 3

- Does not require groundwater testing or monitoring. – See *EGLE comments*, Section 63905.
- Does not consider water pollution on nearby properties – only within the “mining area” (*i.e.* the mine site). Section 63905(m)(ii).
- Allows industrial noise levels on neighbors’ property. *EGLE is concerned these levels “will result in unenforceable noise.”* – Section 63905(n)(ii).
- Allows air blasting and the use of explosives in residential neighborhoods. – Section 63905(o)+(p).



## THE GRAVEL BILLS ARE TERRIBLE POLICY – PART 4

- Punishes neighbors who complain with financial penalties. EGLE says *there is no comparable provision in any other statute it administers. Likely violates First Amendment (free speech).* – Section 63916(8).
- Wipes out the rights of neighbors to seek help from a court for nuisances caused by mining operation. EGLE calls this section “*legally problematic.*” Section 63918.
- Wipes out (vacates) all prior court decisions against a mining project. *This section specifically targets Metamora, which has defeated 4 prior lawsuits.* – Section 63922.

SETTING THE RECORD STRAIGHT!  
EGLE PERMITTING

- **EGLE permits only 9 mines in Michigan today!**
  - Sand dune mining (5 mines in total )
  - Nonferrous (e.g. copper, nickel, zinc, gold and silver; EGLE permits 3 mines which are Eagle, Humboldt and Copperwood)
  - Ferrous mining (iron ore; EGLE permits 1 mine, the Cliffs Mine).
- **EGLE will inherit all current & future mines (w/ these bills)**  
*= 15,000+% increase in workload (9 → 1,500+), but with defined approval time limits (minimal time for public comment)*
- **EGLE mine permitting ability very limited; new bill would**  
result is massive increase in permit request.

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PREVIOUS LEGISLATURES

- **Fourth attempt by gravel industry in six years to get this bill passed. Even after SIGNIFICANT and EXPENSIVE lobbying they have failed.**
  - 2016 - bill sponsor late Sen. Casperson withdrew bill saying he felt he had been “misled”
  - 2018 - Sen. Hollier’s Bill died in full Senate.
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PURE  HARRASSMENT

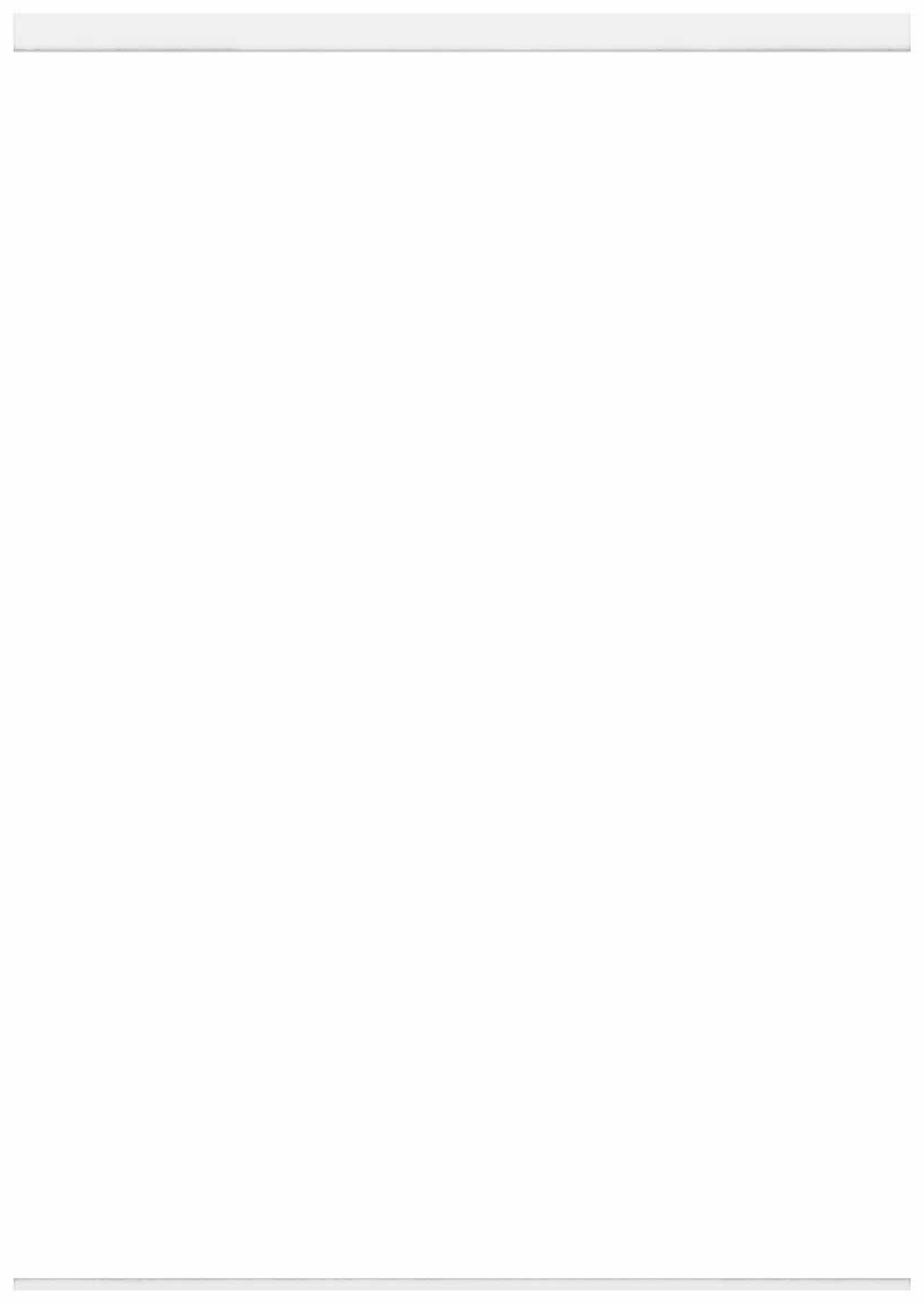
- **Big Gravel has been HARRASSING Metamora for DECADES!**
  - 1980's Federal Lawsuit
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- **Personal vendetta for Edward C. Levy Co.**

*“I will bury you!”* – Mr. S. Evan Weiner, President of Edward C. Levy Co.  
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**Questions/Comments:**

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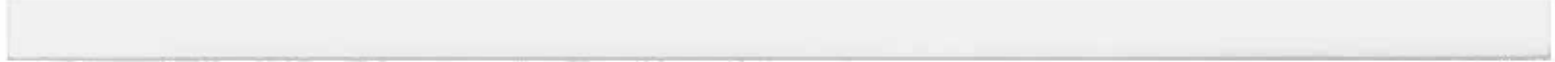


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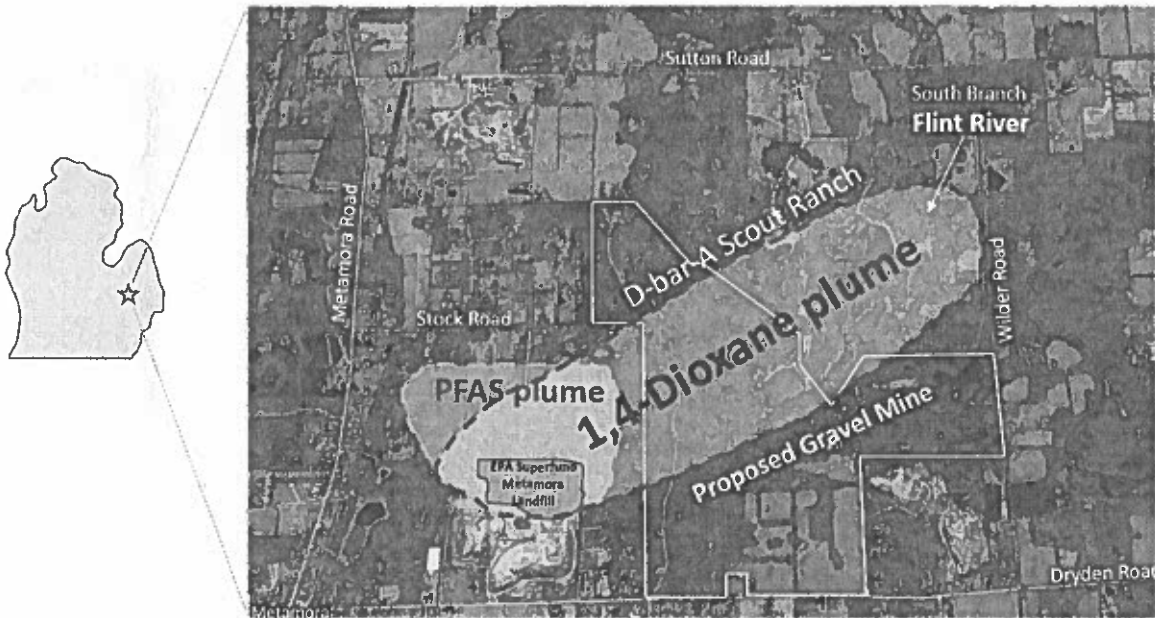


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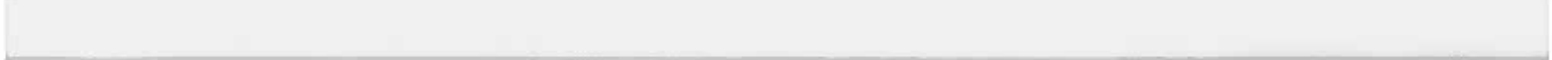


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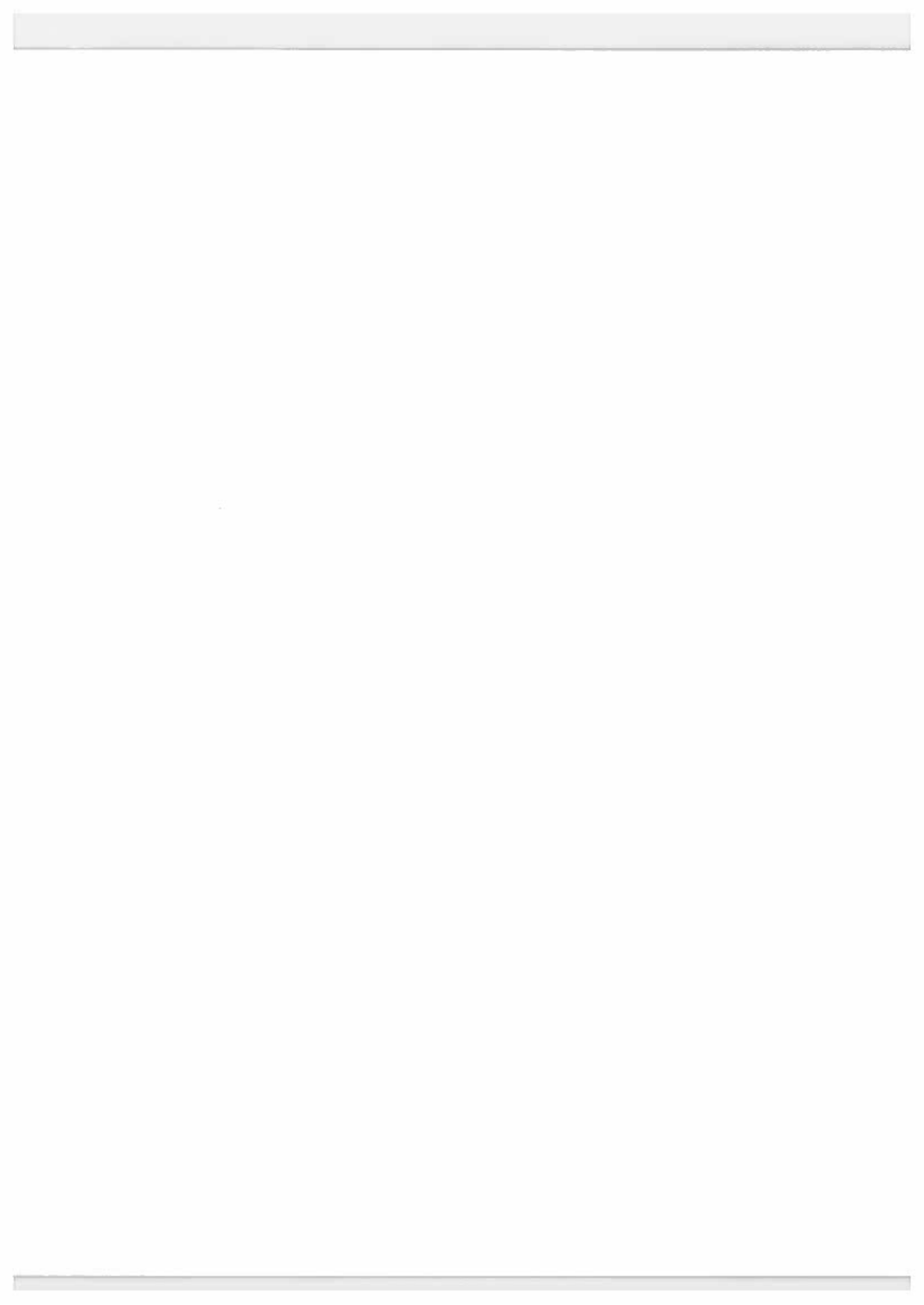


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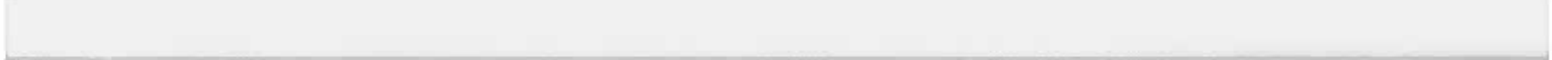




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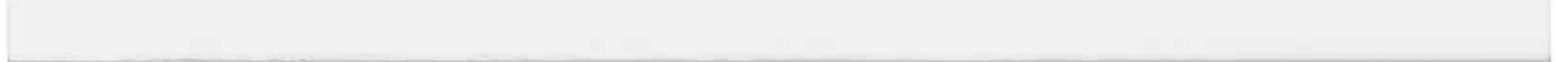
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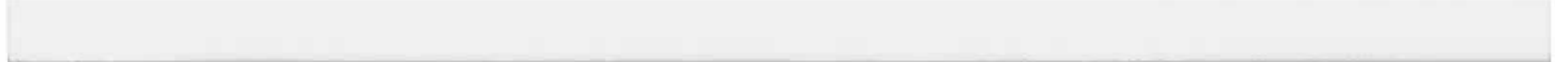
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