



May 8, 2023



michigan municipal league



The Honorable Tyrone Carter, Chair
Committee Members
House Regulatory Reform Committee Michigan House of Representatives
P.O. Box 30014
Lansing, MI 48909

Chair Carter and Members of the House Regulatory Reform Committee:

Our organizations, representing local and regional governments, the environment and land use planners are united in our opposition to House Bills 4526, 4527 and 4528 currently before this committee. We ask that you oppose this legislation, which preempts local authority over sand and gravel mining operations—regardless of their location or impact on a community, neighboring residents or property owners, small businesses, schools or the environment—and also does not address the myriad environmental concerns over these operations. Further, the bills eliminate all existing local control and instead shift complete oversight to the state—far removed from the people and areas most impacted— leaving residents and local governments only the ability to submit concerns through public comment.

These mining operations can have long-lasting and far-reaching impacts on our communities, residents and the environment if not properly sited and operated. Local involvement and oversight in gravel mining operations are critical to ensure issues are addressed to the benefit of all concerned. The majority of current mining permits are approved—allowing local officials and operators to address concerns or questions regularly as they arise. This has occurred as a result of local governments working with the industry to ensure respect for the community.

The three bills before you create a state-lead oversight process within the Michigan Department of Environment, Great Lakes, and Energy—for a very local issue with local impacts. Rather than creating a standard that safeguards our environment, the bills instead remove local regulation and oversight from this industry. The department is not required to garner local input about the impact of the mining operation to the community or those affected, or to review operators regularly. The legislation is not responsive to concerns around groundwater contamination, noise pollution, truck routes, hours of operation, or whether the remediation plan is sufficient to restore the site after the mining company is completed.

Also of concern is the fact that the bills do not align as to what is proposed for preexisting or small mining operations.

We support access to materials necessary to fix Michigan's roads as well as for building construction and development—utilizing virgin, recycled or reused materials. The current process allows for local governments to balance those needs along with those of their community and the environment. Although the bills are modeled after statute (Part 632) that offers local oversight over safeguards, such as truck routes and hours of operation, they currently offer no such protections or authority.

Every community should have a voice over issues impacting their neighborhoods, health, safety and quality of life. These bills strip away all local government oversight and authority in the permitting and operations of sand and gravel mining, and do not include adequate environmental protections, including impacts on neighboring wells, drinking water, soil conservation and site restoration.

We urge your opposition to House Bills 4526, 4527 and 4528. Our organizations continue to remain committed to engaging in discussions for a compromise on this issue.

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