

Molly Wingrove

From: JULIE SEITER <jaseiter@aol.com>
Sent: Monday, May 8, 2023 3:03 PM
To: Molly Wingrove
Subject: Oppose House Bills 4526, 4527, and 4528

To the Regulatory Reform Committee:

I'm writing to express my opposition to Michigan House Bills 4526, 4527 and 4528. Under this three-bill package, no local regulations could apply to operation issues that are inherently local in nature, including hours of operation, truck routes, noise, dust control and fencing. This legislation would also allow the operator to move from your locally approved permit to one approved by the state—leaving our township with no authority on an operation already in existence in our community.

Under the three-bill package, no local regulations could apply to operation issues that are inherently local in nature, including hours of operation, truck routes, noise, dust control and fencing. If your community currently has aggregate mining operations permitted, this legislation would also allow the operator to move from your locally approved permit to one approved by the state—leaving your township with no authority on an operation already in existence in your community.

Sincerely,

Julie Seiter

9396 Lakeview Dr

Delton, MI 49046

Molly Wingrove

From: Barbara Schmid <bschmid7401@gmail.com>
Sent: Monday, May 8, 2023 3:14 PM
To: Madelyn Day; Marissa Geyer; Molly Wingrove
Subject: For submission to the Reg Reform Committee for 09-MAY-hearing

First Do No Harm – VOTE NO on HB 4526, 4527, 4528

Please vote no on these bills. Before I add my rationale for opposing these bills (below), I will frame my reasons in a personal context.

My late father practiced internal medicine – he was a rheumatologist at Northwestern University Medical School and spent a career in its research labs and patient clinics. He was globally recognized as a pioneer in medical research, and also revered by his patients as an attentive physician, focused on their individual needs.

Like the best internal medicine practitioners, he revered the diagnostic process, working through many avenues of inquiry and process of elimination with each patient before arriving at a treatment plan: maybe rest, maybe medicine, maybe physical therapy. Sometimes he'd see patients with aging joints who wanted to consider surgical intervention. He'd always advise them to first consider the less invasive options. He'd say, "If you the only tool you have is a scalpel, the only solution is to cut."

It seems like this committee is at a comparable point – if it passes these bills, it is rushing for an invasive solution without a diagnosis that warrants it. First, we need to ask the question, "What's the problem we are trying to solve?"

Maybe the answer is that the state is truly running out of gravel. Or maybe the aggregate industry needs to boost its revenue and profits.

If the answer is the former, we must undergo a thorough diagnostic process: how many aggregate reserves are available in mines that are already active (or inactive, but not fully mined); what are the locations of potential sources of aggregate that can be mined with the least amount of harm to a community; how can the state mandate the use of recycled aggregate into road projects (economical and sustainable); how can we otherwise reduce harms, such as updating the exposure limits of silica dust.

These bills are not the right solution, nor are they fair to Michigan's residents. They benefit the aggregate industry. "If the only tools you have are backhoes and rock crushers, then the only solution is to dig."

And it's probably worth asking the state to consider the physicians' creed: First Do No Harm.

RATIONALE

These bills are "solutions" looking for real problems. There is NO evidence the state is running out of aggregate and no reason we have to rubberstamp the mining applications from gravel operators. The aggregate lobby has been pushing this myth for several years, using unproven or false claims.

The state is not funding the more time intensive, but necessary work to find fair, environmentally-sound, resident-responsive alternatives. Until we determine: how many reserves are available in mines that are already active (or inactive but not fully mined); where other potential sources can be found with the least amount of very serious consequence; how to incorporate recycled material into road projects and mandate its use; we should not be giving deference to the shareholders of multi-national organizations over Michigan residents.

The current Michigan Zoning Enabling Act is fair – it balances need with harm. The only reason to replace it with these bills is because the aggregate industry says it's too difficult for them to spend their time and money proving the balance is too difficult for mining operations to prove.

Barbara Schmid
7401 Hashley Rd
Manchester MI 48158

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Barbara



The Other Side of the Aggregate Supply Story

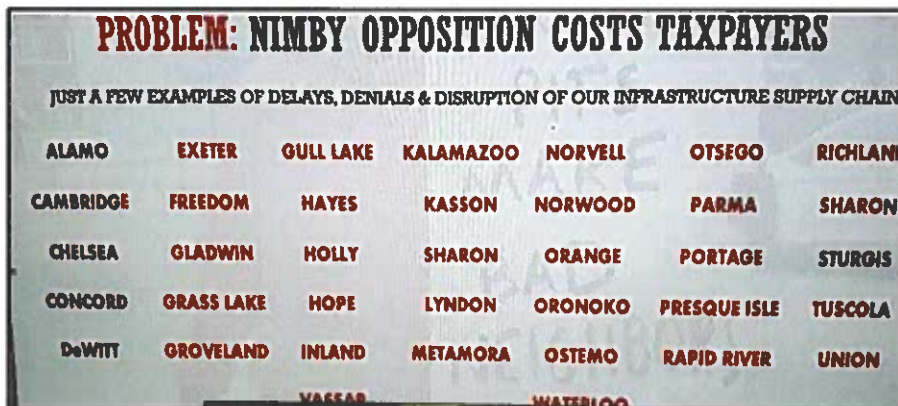
Sharon Preservation Society represents the large number of Sharon Township residents that oppose HB 4526-4527-4528:

- Committee members have already heard from some Sharon Township residents in the last few days, by email or phone.
- We have appended comments from several others.
- We 13 pages of comments from many other residents that opposed SB 429-431, the virtually identical bills introduced in the last session.

There is another side, of course, to the story this committee has heard from the Michigan Aggregate Association (MAA).

Sharon Township residents’ perspective is different – AND just as worthy of your attention and consideration as that of a well-funded lobbying organization.

You have seen this slide, presented by the Michigan Aggregate Association to garner support for these bills:



This information is – at best – disingenuous and misleading:

- **First, Sharon Township, whose name appears twice in this slide, has not denied a single gravel mining permit, and the accusation of “delay” is not warranted.** In fact, last year, Sharon Township approved an expansion to an existing mine in an area already zoned for extraction. Our township is currently reviewing another application for a very large mine (400 acres), the largest one considered in Washtenaw County. This application deserves a very careful and stringent review - **our township officials, elected to have our best interests at heart, are following our ordinance and balancing need and harm.** For good reason – the volumes of information submitted by the applicant are not entirely credible. They are many misleading, unsubstantiated, or untrue claims that would otherwise be ignored.
- **The MAA broadly and indiscriminately applies the NIMBY label to any community that has reason to oppose the introduction of a new gravel mine. There are many very good reasons to**



oppose a mine. They are currently outlined in the Michigan Zoning Enabling Act. The reasons are fair and reasonable, and balanced against the need for the material.

- **Many of these “delays” are caused by the mining operators themselves**, who have found it too burdensome to prove the gravel is needed, or that the mine won’t cause harm. In our township, the active and proposed mines are subsidiaries of very large, highly profitable, multi-national corporations. They can better afford to shoulder the burden of proof than Michigan’s residents.
- **Well-regulated, locally controlled gravel mining does NOT cost taxpayers anything.** Yes, it is more expensive to ship gravel longer distances when needed, but the cost of material is NOT the most significant expense in a road project. This was presented in earlier years’ testimony opposing bills that aimed to remove local control of aggregate mining.

Finally, about MAA’s offensive use of the NIMBY label:

If everyone’s “backyards” were all ten-miles wide, no one’s health, safety, well-being, or economic investment would suffer from living next to a gravel pit.

In a public hearing in our township attended by nearly 200 residents, **a person closely affiliated with the MAA** spoke on behalf of the mining organization that is applying to mine 400 acres here. **The meeting was recorded.** This person, who should have known better, stated on the record that they lived near a gravel mine and found it to be no problem at all.

In fact, this MAA-affiliate lives at least **ten miles** from the nearest gravel mine.

Alas, these bills would allow active mining operations (digging, crushing) **500 feet** from a residence, from 6AM to 7pm on week days, and 6AM to 5pm on Saturdays.

Please think about this when you only hear one side of the story. We don’t all have 10 mile wide “back yards.”



TO: Members of the Regulatory Reform Committee
FROM: Collected Comments from Manchester-area Residents
DATE: 08-MAY-2023
RE: HB 4526, 4527, 4528

PLEASE send the following message to the Regulatory Reform Committee from Sarah Laskowski, 17720 W Pleasant Lk Rd, Manchester, MI. 48158,

RE: Housebills 4526, 4527, 4528

These bills are wrong for the state and its citizens in so many ways:

- 1) they replace the current state zoning law that fairly balances need for the aggregate with harm to a community;
- 2) they attempt to solve a problem that doesn't exist - there is no evidence the state is running out of gravel;
- 3) they strip control from local governments-- favoring the interests of aggregate mine operators (typically large, highly profitable, multi-national organizations) over ordinary, taxpaying citizens;
- 4) they don't consider the use of sustainable practices, like using recycled aggregate materials, which can be used to reduce the cost and need for "virgin" aggregate.

PLEASE VOTE NO!!!!!!!

Dear Sharon Preservation: Please, please forward the following comments to those you deem of importance. Sincerely, Roger H Kappler, 19163 Bethel Church Rd, Manchester, MI 48158. 734-883-1885

Dear Representative and/or Senator:

Approximately 15,000 years ago almost all of the state of Michigan was covered by glaciers (commonly known as the Ice Age). The movement of ice and snow caused scouring and mixing of the earth's crust creating large deposits of rocks, gravel and sand all across the state. There is no lack of such deposits. Additionally this year somewhere in the world the 8 billionth living human being will be born. During the 1960's the 4 billionth living human was born sparking the widely held view that we would not be able to adequately feed this large a population. By the grace of God and advent



of better seeds and agriculture production methods massive starvation has not occurred. This does however accentuate the dire need to make informed land use decisions. This is further exacerbated by climate change altering the productive capacity of agricultural lands world wide.

The proposed legislation considers none of this important rather it exposes land use to the whim and fancy of the mining industry. It totally ignores the input and values of local citizens. It is a serious error to think the mining industry will act in the public interest or consider the need of land use for agriculture, sustainable energy production or any other none mining interest. This very flawed attempt at only special interest public policy should be rejected out of hand. I strongly urge you to reject this blatant attempt at self interest with lack of consent by local citizens. This would be just another form of environmental injustice sanctioned by government.

Respectfully submitted, Roger H Kappler, both a Veteran and father of a Field Grade Special Operations Officer

Below is a copy of the email I sent to Rep. Carrie Rheingans and Senator Sue Shink (I also copied Gov. Whitmer). Feel free to distribute it to other legislators you feel could benefit from my input.

Rep. Rheingans and Senator Shink:

I understand a set of bills (HB 2526, 2527, 2528) is currently in the Regulatory Reform Committee and propose removing local control over mining operations in Michigan. I am strongly OPPOSED to these bills and urge you to vote NO should they (or something similar) come before you for a vote. The elimination of local control over high-profile, high-impact businesses like the sand and gravel industry would be a travesty, and a slap in the face to local government and its residents.

WE are the ones who live with the consequences of poorly permitted and/or poorly regulated mining operations. I live in Freedom Township which currently has three (3) such mines. Many nearby residents have borne the brunt of that mining for years – noise, dust, poor air quality, truck loads, etc. The list goes on. Those residents have had their ability to fully enjoy their property severely limited; their quality of life diminished.

And yet, I think how much WORSE it could have been had our township government not provided proper permitting and oversight of those mines. There is no state agency that can possibly understand and protect our local needs like our own local government.



Sharon Preservation Society
Vote NO on HB 4526-4527-4528
08-MAY-2023

It's a slippery slope to take away local control from our local governments. Mining this time, then what's next? I agree with the Michigan Townships Association which opposes this legislation, and I strongly urge you to also oppose HB 2526, 2527, and 2528.

Carol Westfall
11268 Hieber Rd.
Manchester, MI 48158
734-657-3880

To Whom It May Concern;

According to the State of Michigan, there is no need for more aggregate mining in this State. The State of Michigan has asked the road building companies to recycle as many materials as possible for road building and repair.

PURE MICHIGAN recognizes the need to stop the pollution of our water resources especially in watershed areas such as Sharon Township and the general Manchester area where the Raisin River flows. Once polluted, there is NEVER a full recovery to clean water. Any type of pollution endangers human life with cancer causing chemicals (natural and manufactured by-products) by mining companies. Natural wildlife is also endangered by the release of these chemicals.

Our Federal and State governments across the nation have publicly announced efforts to safeguard our environmental resources: the air, water and ground in order to protect human and wild life. How can our legislators willfully violate such a public trust? They have been given the responsibility, by the voters, to protect our lives by protecting the TOTAL environment in which we live and share with all the world's creatures. Everyone is aware of the careless greed of large corporations: look at what has happened in Ohio, Michigan, Colorado where there has been irreparable damage to human life, ground, water and air resources. The consequences of corporate disasters are permanent and devastating to every person and creature in the immediate area and beyond. The consequences last for years and can prove deadly to all life. The media coverage has proven to the public that corporations make and break promises because of their greed for profit and the lack of personnel to hold these corporations to federal, state and local laws. Unfortunately all of the safeguards, contractual agreements, oversites and regulations are often overlooked, allowed to expire or are unenforceable in spite of governmental regulations. This must stop.

Such disregard for the citizens of this country is the fault of our legislators who are responsible for the lives and health of the citizens and environmental resources. There should be adequate funding and hiring of competent people, continuous training of Federal, State and local personnel. There must be local control over which corporations



Sharon Preservation Society
Vote NO on HB 4526-4527-4528
08-MAY-2023

are allowed to operate in communities and what safeguards and laws/ordinances they must follow. Local communities have the right to determine if there will be harmful consequences by corporate activities and must have the final say if and when a corporation can continue to operate if it violates community ordinances. The local community must also be allowed to impose laws regarding clean up, reclamation of land and have the power to force corporations to follow local ordinances. The people who vote in that community should have the final say, without punitive consequences, for wanting to protect their lives and natural resources. When will our legislators back up the voters? When will our Governor back up the residents of this State? When will the public be allowed to know what monies, favors, services etc legislators have been given by these corporations for allowing them to destroy our environment and the health of our communities?

The protection of human life and wildlife is embedded in our democratic process. Local control over corporations' activities, environmental standards and restoration and/or clean up is the pinnacle of our democratic process which should never be compromised under any circumstances. Local control must be the ultimate concern of those who are elected to safeguard the citizens and environment in this State. Those who violate this trust should be investigated and ousted from office. Voters should have the final say over who is protecting our lives and environment, not corporations or legislators who are easily influenced and take money, gifts, travel, or other favors from corporations.

Sincerely,
Claudia A. Damian
Hashley Rd

Manchester MI

Molly Wingrove

From: Megan Beard <beardmm@gmail.com>
Sent: Monday, May 8, 2023 3:23 PM
To: Molly Wingrove
Subject: Subject: House Bills 4526, 4527, and 4528 - Regulatory Reform Committee Review - May 9, 2023
Attachments: 2023-MAY-08 HB4526 HB4527 HB4528 Letter to MI House Regulatory Reform Committee .pdf; 2022-DEC-01 Lenawee County Planning Commission Recommendation to Cambridge Township.pdf; Legacy Land Conservancy PC Irish Hills Gravel Mine Letter.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Molly,

I am a local resident of Cambridge Township Michigan, better known as the Irish Hills of Michigan. This area is surrounded by at least 20 kettle lakes created by the glaciers millions of years ago. Along with our beautiful lakes, the glaciers also deposited sand and gravel in my area as well as in many, many places throughout the state of Michigan. House Bills 4526, 4527 and 4528 put my area at significant risk by removing local authority to evaluate, review and balance the need and value of sand and gravel deposits in our community with the very serious consequences extraction of these deposits would create to our most valuable natural resource, our WATER! Not to mention the impacts these industrial operations will have on the surrounding environment and wildlife as well as my personal health, safety and welfare as a result of sand and gravel extraction.

Please provide the attached letters to the Regulatory Reform Committee in opposition of House Bills 4526, 4527, and 4528 that are scheduled for review on May 9, 2023. My personal letter is addressed specifically to the committee but I have also included two additional letters that have been written to our local township in order to demonstrate the criticality of keeping these types of decisions at a local level. Local township officials understand the issues that impact their municipality. Approval of sand and gravel permitting at any level other than local is of grave detriment to the citizens of the state of MI.

Sincerely,

Megan Beard

Resident, Cambridge Township Michigan

11531 Onsted Hwy, Brooklyn, MI 49230

Email: beardmm@gmail.com

May 8, 2023

To: The Michigan House of Representatives
Anderson House Office Building
124 North Capitol Avenue
Lansing, MI 48933

Attn: Regulatory Reform Committee
C/O: Molly Wingrove, Committee Clerk
Phone: 517-373-5024
Email: mwingrove@house.mi.gov

Subject: House Bills 4526, 4527, and 4528 - Regulatory Reform Committee Review - May 9, 2023

Dear Representatives of the Michigan House Regulatory Reform Committee:

I am writing to you today to ask you to stand with Michigan Communities and oppose House Bills 4526, 4527 and 4528. These bills, contain far-reaching legislation that would usurp all local authority and allow a sand and gravel mine, crushing facility or storage facility to operate anywhere in a community—**regardless of zoning—undermining** the ability of local officials to balance the needs of all property owners in the borders of their jurisdiction.

Local zoning is intended to protect local residents, and local officials understand the importance of building strong communities, protecting public health and safety, and improving quality of life. Local leaders can best balance the responsibility of being good stewards of public resources, the needs of residents and the businesses that support the local economy. I acknowledge that needs access to aggregate materials necessary to fix Michigan's roads. However, the current process and legislation contained within the Michigan Zoning and Enabling (MZEA) allows for local governments to balance those needs along with those of their community.

Current law, enacted through Public Act 113 of 2011, states an ordinance may not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. PA 113 also provided guidance on when a very serious consequence would result from the extraction giving these six specific factors:

- The relationship of extraction and associated activities with existing land uses.
- The impact on existing land uses in the vicinity of the property.
- The impact on property values in the vicinity of the property and along the proposed hauling route serving the property, based on credible evidence.
- The impact on pedestrian and traffic safety in the vicinity of the property and along the proposed hauling route serving the property.
- The impact on other identifiable health, safety, and welfare interests in the local unit of government.
- The overall public interest in the extraction of the specific natural resources on the property.

While I understand some of you have sponsored this legislation, Michigan can and should do better! Gravel mining is a necessary but disruptive, large scale, heavy industrial operation with long term negative impacts. There are appropriate and inappropriate locations for such operations. The best decisions about this are made locally, and local governments recognize that the MZEA prohibits overly restrictive requirements that would preclude all local mining. House Bills 4526, 4527, and 4528 are touted as a compromise, however local

government and environmental groups were shut out from being at the table to negotiate and help draft real, actionable, and meaningful legislation. Legislation that would address the root cause and not go to extremes. The type of Legislation that Michigan needs requires true corporation between all stakeholders.

LOCAL CONTROL MUST BE MAINTAINED

- Land use decisions are historically made by local government – this is the fundamental premise of zoning. Local Zoning is a promise to property owners that their investment and their rights to peacefully enjoy their property are protected. The best decisions are made by government on the local level.
- EGLE has a culture of “encouraging compliance” rather than enforcing compliance. EGLE does not have sufficient enforcement “clout” to ensure mine compliance. The gravel industry has long been neglected by the regulatory community, and knows it is more expedient and less costly to ask forgiveness rather than ask permission.

WHAT CAN LANSING DO?

- Ensure that local control over gravel mining decisions remains intact.
- Utilize the Michigan Geological Survey to identify the location of potential gravel deposits to aid in local land use planning.
- Make a reliable and detailed determination of state-wide needs for aggregate.
- Establish environmentally responsible mine reclamation minimum standards that must be met promptly after mine closure and enact significant penalties for failure to do so.
- Empower EGLE to assist local government with meaningful enforcement actions as needed for gravel mine environmental violations.
- Protect the health of local citizens by establishing safe levels of offsite particulate matter (i.e. silica dust, diesel exhaust), with emphasis on controlling particulate size $PM < 2.5$ microns (unseen, but the most dangerous to human health).
- Ensure mine compliance by requiring offsite air monitoring near residential areas.
- Consider ways to preserve agricultural land by enabling retiring farmers to sell their land for continued agricultural uses rather than needing to sell to gravel miners to get top dollar. Perhaps the State buys the mineral rights? This will take some creative thinking...

Michigan's natural resources are important and bring a wealth of diversity, dollars, and character to our beautiful state. It is our natural resources that make Pure Michigan such a wonderful place, to live, play, work and raise families. The natural resources these bills address were formed millions of years ago and once these resources are exhausted, they cannot be replaced. I urge you as my representatives to oppose this harmful legislation! Instead focus on ways to support local government rather than take away the voice and rights of the citizens you represent!

Sincerely,

Megan Beard

Resident, Cambridge Township Michigan
11531 Onsted Hwy, Brooklyn, MI 49230



Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

December 1, 2022

To: Cambridge Township Planning Commissioners

From: Lenawee County Planning Commission

Subject: SSP Leasing Proposal – for CAO 110-2200 and CAO 110-2300

Cambridge Township Planning Commissioners,

The Lenawee County Planning Commission would request careful consideration of the proposed operation at the subject properties. The upper Wolf Creek watershed area, in which this property is located, is under study for development of a Watershed Management Plan. Due to excessive levels of E. coli and Phosphorous found in Wolf Creek, in 2020 EGLE added Wolf Creek, Squaw Creek, and Loch Erin to its list of impaired waterways (EGLE 2020 Integrated Report, Appendix D2). All these entities are within Cambridge Township and fall within the watershed currently under study. The addition of these waters to the list indicates their delicate status.

RRWC received a grant for this study in December of last year with funding from the EPA and administered through EGLE. Cambridge Township provided a letter of support for this grant request in 2020. Given the proximity of the properties to Kelly Lake, it seems quite likely mining activity on this property will impact the immediate watershed area through runoff and unintentional impact to the water table.

As this area is currently under study for the next year, we would respectfully suggest that no action be taken on this proposal until this study is complete and the final report approved and issued by EGLE.

Should you choose to approve this commercial operation, we would request as a minimum the following.

- Professionally conducted continuous monitoring of the water quality in Kelly Lake and the immediate area to verify water quality conditions have not changed as a result of the operation.
- Delay any activity on the property until the Upper Wolf Creek Watershed Management plan is complete and the final report and remedial actions approved and issued by EGLE.

Sincerely,

LCPC Board

www.region2planning.com/lenawee-county-planning-commission



March 1, 2023

Cambridge Township Planning Commission
9990 West M50
P.O. Box 417
Onsted, MI 49265

Re: Proposed Sand & Gravel Mine in Cambridge Township, South of US-12 between Allen, Meadow and Kelly Lakes

Dear Members of the Cambridge Township Planning Commission,

This letter is being written to voice Legacy Land Conservancy's support of the call for further studies and due diligence to be conducted in order to better understand the risks posed by the proposed gravel and sand pit operation prior to making any decisions regarding the change of zoning request submitted by SSP Leasing/Cambridge Lake LLC. Specifically, Legacy supports the completion of additional studies to determine whether the proposed gravel and sand pit operation would result in any Very Serious Consequences (VSCs), pursuant to the Michigan Zoning Enabling Act (ZEA).

Legacy is a non-profit 501(c)(3) corporation with the mission of securing a land base to conserve nature, agriculture, fresh water, and recreation for current and future generations in Lenawee, Jackson and Washtenaw Counties. Members of the community shared concerns with us about impacts to the natural communities and fresh water in the Irish Hills region. After reviewing some resources, we believe further information is needed to determine the negative impacts that may occur from the gravel and sand pit mine to occur on this property. Since Legacy's mission is specifically related to conserving important ecosystems, and because we hold a conservation easement in this area, we felt providing support for further studies was well within our responsibility to the area and the people we serve. The footnotes in the letter refer to previous correspondences the commissioners have received.

The Irish Hills area is well-known for its many lakes, streams, and wetlands, and is home to many high-quality natural communities¹, all of which are likely to be threatened by the proposed mining operation. Importantly, "the proposed gravel and sand pit mine is . . . sited where numerous geologic, hydrologic, and ecologic processes intersect to provide numerous irreplaceable public benefits" (Kellum, 2022, p.1). In our opinion, if the proposed mining operation is allowed to proceed, it could have significant negative impacts on the surrounding ecosystems and the invaluable benefits they provide to the surrounding and downstream communities, both human and natural, as well as the values that are central to the Irish Hills community and which draw many visitors to the area.

The additional due diligence inquiries which we are writing to support may reveal that the extraction of aggregate materials that would ensue should you approve the change of zoning request would result in very serious consequences. The numerous natural, economic, and cultural resources that are present

¹ Kellum, S. (2022, December 21). Gravel Pit Opposition Letter.

within the Irish Hills region, and which would likely bear much of the impacts of any potential VSCs, are summarized below.

This region is well-known for its high-quality natural areas, a fact supported by multiple entities within the state that are experts in this field. Indeed, in its 2020 Forest action plan, the Michigan Department of Natural Resources identified this region as a high-priority area for the protection and management of oak barrens, floodplain forests, as well as prairies and savannahs, and also noted the area as having a Medium-High Frequency of Species that are of High Concern to Forest Health.² Further, the Michigan Natural Features Inventory determined that the proposed mine is located in a region of High biological rarity based on their “database of known sightings of threatened, endangered, or special concern species and high quality natural communities.”³

The Planning Commission itself has also previously recognized the importance of these natural resources, as evidenced by its 2011 adoption of the Cambridge Township Master Plan, which includes among its stated goals to “[e]ncourage the protection and preservation of the Township’s natural resources for the purpose of maintaining the quality of the local environment” (p. 22), “[e]ncourage the preservation of wetlands” (p.22), protect and maintain “[h]igh quality groundwater resources” (p.23), and to “[p]reserve and protect the natural features of the township” (p. 34). While another goal of the Master Plan is to “[e]ncourage the development of industrial used to diversify the local economy and to provide a stable tax base for the Township,” it immediately thereafter specifies that such development should only be carried out “at locations that will allow the quality of the local environment to be maintained” (p. 31).⁴

The proposed mine is also in an area that is critically important to maintaining the health of both ground water and surface water resources in the region. The gravel mine would be immediately adjacent to Meadow and Kelly Lakes within the Wolf Creek sub-watershed of the River Raisin, but because the site is bisected by a watershed boundary, it will also drain into the Iron Creek sub-watershed of the River Raisin, which, among others, is home to Wamplers, Timber, and Mud Lakes, all of which lie within or border the Legacy-held Conservation Easement referred to as Camp O’ the Hills^{5,6}. The margins of many of our watersheds — including the boundary that bisects the proposed site — are heavily glaciated and serve as critical groundwater recharge zones, providing essential water volume via seeps and springs to recharge the surrounding lakes, as well as essential filtration to ensure that the water is very clean⁵.

Indeed, an analysis carried out by US Forest Service (USFS) scientists determined that the Wolf Creek watershed is utilized for its surface waters by more than 185,000 direct and downstream consumers and by more than 20,000 consumers for its ground water. In their analysis, the USFS scientists also identified the Wolf Creek watershed as being in the top 14% nation-wide in its Importance to Surface Drinking Water and in the top 25% of the Nation’s watersheds that are most at risk due to Land Use Change.⁷

² Michigan Department of Natural Resources Forest Resources Division. (2020). *Forest Action Plan 2020 (IC-4027)*. Online at: https://www.michigan.gov/dnr/-/media/Project/Websites/dnr/Documents/FRD/Ag/ForestActionPlan_Forestry_2020.pdf?rev=7753b4ccceb4b6da4ad12bdaa8e5b0&hash=C1C3EC3F727554D64E8501DE2D4EC62

³ Michigan Natural Features Inventory (MNFI). (2022). *Biological Rarity Index*. Online at: <https://mnfi.anr.msu.edu/resources/biological-rarity-index>

⁴ Cambridge Township Planning Commission & Region 2 Planning Commission. (2011). “Cambridge Township Master Plan: Cambridge Township Community Land Use Plan”. Online at: <https://www.cambridgetownshipmi.gov/Document%20Center/Cambridge%20Township%20Master%20Plan/Combined%20master%20plan%20july%208%202011.pdf>

⁵ Kellum, S. (2022, December 21). Gravel Pit Opposition Letter.

⁶ Cripe, G. (2022, November 28). Re: SSP Leasing Proposal at the old Brighton Farm.

⁷ Mack, E., Lijja, R., Claggett, S., Sun, G., Caldwell, P. (2022). *Forests to Faucets 2.0. Connecting Forests, Water, and Communities* (Gen. Tech. Rep. WO-99). Washington, DC: U.S. Department of Agriculture, Forest Service, Washington Office. 32 p. <https://doi.org/10.2737/WO-GTR-99>.

Some of the Irish Hill region's valuable cultural and economic resources may also be threatened by the proposed mine. The site is immediately adjacent to Killarney Highway, a state-designated Natural Beauty Road. The *Natural Resources and Environmental Protection Act* requires that Cambridge Township "provide for a public hearing before an act that would result in substantial damage to native vegetation in the right-of-way of a natural beauty road or natural beauty street, respectively, is permitted" MCL 324.35704(2).⁸

The proposed use is incompatible with the low-density residential pattern of development in the Irish Hills region and the impact on the surrounding community has the potential to be devastating and severe⁹. Further, while the proposed mining operation would not fit with the existing character of Cambridge Township and the Irish Hills community, the location of the proposed site along a hilly, curvy, and heavily trafficked Michigan heritage route is similarly incompatible, or at least impractical, with heavy industrial use and transport of large, frequent loads of aggregate materials.

It is clear, then, that there is at least the potential for Very Serious Consequences (VSCs) to result from the proposed gravel and sand pit mining operation in a region that is home to a number of natural features that have been well-documented at both the State and National levels, and which provides critically important resources and services for the people that live within and downstream of Cambridge Township. Foremost among the many services provided by this ecologically- and environmentally-rich area is its role as a groundwater recharge zone, which enables it to provide drinking water for many citizens in the surrounding region. In addition to providing fresh, clean drinking-water to thousands, the natural communities that are present in this region, the beauty of which draws many visitors and dollars to Cambridge Township, have been marked as being among the most valuable and of highest-priority for preservation by organizations at the local, state, federal, and international levels.

To better understand the risks and potential Very Serious Consequences that may result from the proposed mining operation, Legacy Land Conservancy is writing to support the call for additional due diligence to be completed as mandated by the Michigan Zoning Enabling Act. Based on the breadth of possible impacts, Legacy believes that follow-up studies that evaluate the potential environmental, ecological, health, safety, and economic impacts in Cambridge Township and in the surrounding communities that depend on the services provided by the Irish Hills region are necessary.

Sincerely,

Diana L Kern

Diana Kern
Executive Director
dkern@legacylandconservancy.org
(734) 780-6004

⁸ Natural Resources and Environmental Protection Act (excerpt) Act 451 of 1994. "Part 357 Natural Beauty Roads". Online at: [http://www.legislature.mi.gov/\(S{1xt5gb3eavv1nfhednmk4ko22}\)/mileg.aspx?page=getObject&objectName=mcl-324-35704](http://www.legislature.mi.gov/(S{1xt5gb3eavv1nfhednmk4ko22})/mileg.aspx?page=getObject&objectName=mcl-324-35704)

⁹ Cripe, G. (2022, November 28). Re: SSP Leasing Proposal at the old Brighton Farm.

Forests to Faucet 2.0 Watershed Summary Report

The Forests to Faucet 2.0 Assessment (see link at bottom of page) compares watersheds across the country to show which are most relied upon as sources of drinking water and are potentially threatened.

Watershed Name: Wolf Creek
HUC 12: 041000020204
State(s): MI
Acres: 36556



This report describes the watershed outlined in yellow.

How does this watershed rank?

| | |
|--|-----------|
| Importance to Surface Drinking Water Index | 86 of 100 |
| Ability to Produce Clean Water Index | 23 of 100 |

Potential threats to this watershed

| | |
|---|-----------|
| Wildfire | 0 of 100 |
| Insect and Disease | 46 of 100 |
| Water Yield Decrease (2010-2090 high emissions) | 69 of 100 |
| Land Use Change (2010-2090 high emissions) | 75 of 100 |

Note: All indices have been normalized to allow comparison between watersheds. Values range from 0-100. For example, values between 90-100 are in the top 10% of all watersheds. For additional future scenarios, view the full report on the Forests to Faucet 2.0 website (see link at bottom of page).

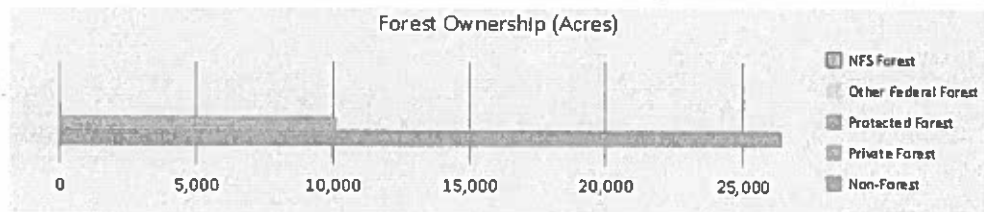
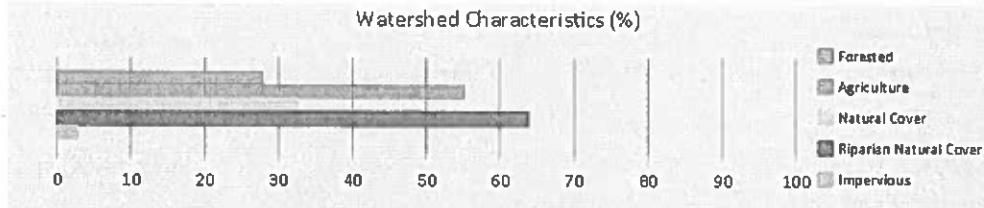
Watershed Characteristics

| | |
|------------------------------------|---------|
| Surface Water | |
| Intakes: | 1 |
| Consumers: | 21,133 |
| Downstream Consumers: | 165,976 |
| Ground Water | |
| Intakes: | 34 |
| Consumers: | 20,444 |
| Mean Annual Water Yield in mm (Q): | 334 |

Public Water Supplies within the Watershed

sorted by population served

| | |
|----------------------|---|
| ADRIAN | https://efm.usbr.gov/assess/Hw/FacSDWG/FED.REPORTS.PUBLIC.PWS.SEARCH...PWSID:MI0000040 |
| ONSTED | https://efm.usbr.gov/assess/Hw/FacSDWG/FED.REPORTS.PUBLIC.PWS.SEARCH...PWSID:MI0000000 |
| RICHLYN MANOR | https://efm.usbr.gov/assess/Hw/FacSDWG/FED.REPORTS.PUBLIC.PWS.SEARCH...PWSID:MI0000048 |
| BROOKDALE ADRIAN | https://efm.usbr.gov/assess/Hw/FacSDWG/FED.REPORTS.PUBLIC.PWS.SEARCH...PWSID:MI0000045 |
| FAITH BAPTIST CHURCH | https://efm.usbr.gov/assess/Hw/FacSDWG/FED.REPORTS.PUBLIC.PWS.SEARCH...PWSID:MI0000002 |



Source: <https://www.fed.usda.com/basics/US-Forest/Details/20200411>

USDA is an equal opportunity provider, employer, and lender

Molly Wingrove

From: Mary Eliowitz <marelio@centurytel.net>
Sent: Tuesday, May 9, 2023 7:24 AM
To: Molly Wingrove
Subject: HSs 4526, 4527 and 4528

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Wingrove,

I am concerned that our democracy is threatened if HSs 4526, 4527 and 4528 are passed without the peoples' say without the ability to vote on them. Please do not allow these bills to move forward. They are dangerous to the rights of landowners living near the proposed gravel mines. Please include my opposition as testimony in your minutes.

Sincerely,

Mary Eliowitz

Molly Wingrove

From: Pamela Money <pamela.r.money@gmail.com>
Sent: Tuesday, May 9, 2023 6:47 AM
To: Molly Wingrove
Subject: Fwd: House Bills 4526, 4527, and 4528

If these bills are passed they will result in environmental damage and remove local control. The majority of people in Leelanau County do not support them.

Please include my comments/testimony in the committee meeting minutes.

Sincerely,

Pamela Money

----- Forwarded message -----

From: Representative Betsy Coffia <betsycoffia@house.mi.gov>
Date: Mon, May 8, 2023 at 9:01 PM
Subject: re: House Bills 4526, 4527, and 4528
To: Pamela Rae Money <pamela.r.money@gmail.com>



Hi Pamela,

Thank you for reaching out and for sharing your input! Rep. Coffia also does not support the aggregate mining bills -- House Bills 4526, 4527, and 4528 -- as currently written and is working with local officials and stakeholder groups such as the Michigan Townships Association and the Michigan League of Conservation Voters to make the voices of impacted communities and residents heard.

As these bills are currently in the House Regulatory Reform Committee, which Rep. Coffia doesn't sit on and therefore she will not be able to vote on them at this time, we are instructing folks that the best way to advocate at the moment is to email the committee's clerk, Molly Wingrove (MWingrove@house.mi.gov), with your opposition. You can forward the email you sent us to her and note that you would like to include your testimony in the committee meeting minutes. We encourage you to do this as soon as possible so your testimony can be considered before the committee meets tomorrow at 10:30 AM.

Thank you so much for your advocacy and please let us know if you have any questions or if you need anything else!



Contact Me

State Representative Betsy Coffia
House Office Building, South Tower
13th Floor, Room 1387
Lansing, MI 48909-7514

Phone: (517) 373-3817
Fax: (517) 373-5495

Molly Wingrove

From: Carolyn Rentenbach <peachybach@me.com>
Sent: Tuesday, May 9, 2023 6:47 AM
To: Molly Wingrove
Subject: HB 4526, 4527, 4528

I am opposed to the passage of these bills. It is important that local government control what goes on in their immediate area.

Carolyn Rentenbach
3961 W Cheney Woods Tr
Maple City, MI 49664

Sent from my iPad

Molly Wingrove

From: Tom Wigton <thomas.wigton@gmail.com>
Sent: Tuesday, May 9, 2023 2:55 AM
To: Molly Wingrove
Subject: aggregate mining bills

Dear Molly Wingrove

I am writing to you to ask you to please help our local community to be able to continue to make decisions at the local level regarding where gravel mining is done in our county. As you know we are blessed with both natural beauty and plenty of water PLUS Sleeping Bear Ntl.

Lakeshore , but we are also "blessed" with plenty of gravel due to the glaciation that occurred many years ago.

It is my belief that we have quite a bit of gravel harvesting going on, and fear that we will lose our ability to offer the amazing peace and beauty of our area to visitors if we lose our grip on this issue.

Thank you for your consideration!

Tom Wigton

10161 S Bow Rd, Maple City, MI 49664

Molly Wingrove

From: Lori Lyman <llyman@me.com>
Sent: Tuesday, May 9, 2023 1:01 AM
To: Molly Wingrove
Subject: House Bills 4526, 4527, and 4528

Dear Molly,

Please include my testimony below in the committee meeting minutes for House Bills 4526, 4527, and 4528.

As a visitor to Leelanau County beginning in 1967 and now a resident for 14 years, with a vote, I strongly object to HB 4526, 4527 & 4528. I cherish our high quality drinking water and beautiful landscapes that surround us.

What will our county look like once the gravel companies have made their money and left us with nothing but unsightly, barren deep quarries of rock? Our natural forest and dune landscapes will be lost forever.

I kindly request you vote no on these bills.

Thank you,
Lori

Lori Lyman
9004 Dunns Farm Rd.
Maple City, MI 49664
(847) 220-1473

Molly Wingrove

From: Johanna Balzer <rjbalzer.1@gmail.com>
Sent: Monday, May 8, 2023 10:48 PM
To: Rep. Will Snyder (District 87); Rep. Jimmie Wilson Jr. (District 32); Rep. Graham Filler (District 93); Rep. Pauline Wendzel (District 39); Rep. Joseph A. Aragona (District 60); Rep. Matthew Bierlein (District 97); Rep. Jerry Neyer (District 92); Molly Wingrove
Subject: Oppose HB 4526, 4527, 4528

Please oppose House Bills 4526, 4527, and 4528 which take away citizen and local government input on sand and gravel mining in their communities. This email is not in opposition to mining in general, but rather a recognition that each community has unique situations where "one-size fits all," state regulations do not work for the quality of life for citizens.

Thank you,
Johanna Balzer
3450 Clark Rd.
Bath, MI 48808
(517) 484-3273

Molly Wingrove

From: Kim Todd <kimtoddlaw@hotmail.com>
Sent: Monday, May 8, 2023 10:47 PM
To: Molly Wingrove
Subject: I strongly oppose House Bills 4526, 4527 and 4528

I strongly oppose House Bills 4526, 4527 and 4528, sponsored by Reps. Pat Outman (R-Belvidere Twp.), Tyrone Carter (D-Detroit) and Angela Witwer (D-Delta Chtr. Twp.).

I urge you to oppose this legislative attack that preempts all local zoning, administration and ordinances over an industry that can have lasting, detrimental effects on Michigan communities, the environment, property and quality of life. Please stand with Michigan communities and oppose House Bills 4526, 4527, and 4528.

These bills would usurp all local authority and allow a sand and gravel mine, crushing facility or storage facility to operate anywhere in a community—regardless of zoning—undermining the ability of local officials to balance the needs of all property owners in the borders of their jurisdiction. Under the three-bill package, no local regulations could apply to operation issues that are inherently local in nature, including hours of operation, truck routes, noise, dust control and fencing. If your community currently has aggregate mining operations permitted, this legislation would also allow the operator to move from your locally approved permit to one approved by the state—leaving your township with no authority on an operation already in existence in your community.

Local zoning is intended to protect local residents, and as a locally elected official, you understand the importance of building strong communities, protecting public health and safety and improving quality of life. You must balance the responsibility of being good stewards of public resources, the needs of your residents and the businesses that support your local economy.

These bills do not balance the needs of the community but rather puts profit over people, ignoring local governments, residents and property owners by:

- Prohibiting municipalities and affected residents or businesses from requesting any permit modifications, silencing the community from issues impacting their daily lives and livelihood.

- Permitting EGLE to grant modifications requested by the mine operator only.

- Allowing 70-foot-high aggregate stockpiles just 50 feet from property lines—an obvious impact on neighboring property owners.

- Holding neighboring properties hostage for years by allowing mines to bank sites for up to a decade.

- Artificially limiting required financial assurances at levels that do not provide for proper protections for amounts needed for land reclamation.

- Codifying operation hours for activities such as truck loading, blasting and crushing to begin by at least at 6 a.m. six days per week—and allows for hours beyond that time for state or county contracts.

- Limiting local government and resident input only through public comment periods.

- Prescribing noise levels required for worker safety hearing protection only and weighted over eight hours—with no considerations for the impact of noise to nearby homes, businesses, schools and property.

- Vacating previous judicial and administration opinions related to all mining permit applications—including those previously submitted to a local unit of government.

- Removing the right of referendum by impacted residents.

Kim Todd
Telephone: (561) 644-9217
kimtoddlaw@hotmail.com

Molly Wingrove

From: John Waldrop <jwldrp@aol.com>
Sent: Monday, May 8, 2023 10:32 PM
To: Molly Wingrove
Subject: URGENT Michigan house bills 4526, 4527 and 4528. URGENT

Gravel mining bills are threatening Leelanau and all of Michigan again.

Last Thursday, Michigan House Bills 4526, 4527, and 4528 were introduced as a three-bill package. These bills threaten our local communities' rights over having the last word on whether to allow new sand and gravel surface mines. **This threat is now more urgent with the bills possibly going to vote this week.** These dangerous bills now have political momentum.

Not only do HBs 4526, 4527, and 4528 remove local communities from the decision-making process, new, large surface mining operations threaten our local tourism and agricultural economy, the scenic beauty and ecological integrity of the area, and our drinking water. Mining could be permitted as close as 400 ft. from any home, business or school. And, under the guise of shifting the permitting from local governments, who know their communities best, to the State of Michigan's Department of Great Lakes, Environment and Energy (EGLE), **the bills do not give EGLE the authority to deny an application for a new surface mining operation or even ensure a public hearing.**



We understand that roads and infrastructure are important. At the same time, there are already very large sand and gravel surface mining operations in Leelanau and elsewhere in Northern Michigan. Again I ask, do we need more?

Given the irrevocable impacts of these destructive industrial activities, **we believe the citizens of each community should have the right to decide for themselves how their natural resources should be used or conserved.** For more information, click here: [Aggregate Preemption's Back, Tell A Friend!](#)

House Bills 4526, 4527, and 4528 pose a serious threat to Leelanau county. If you feel as strongly as we do about the importance of conserving our natural resources and local decision-making when it comes to new sand and gravel mining,

John Waldrop
7880 N Swede Rd
Northport, MI 49670

JW

Molly Wingrove

From: Shari Hirt <horseplay63@earthlink.net>
Sent: Monday, May 8, 2023 10:25 PM
To: Molly Wingrove
Subject: Proposed House Bills 4526, 4527 and 4528

As residents of Kasson Township in Leelanau County, we are strongly opposed to proposed House Bills 4526, 4527 and 4528.

The expansion of gravel mining will negatively impact the value of our beautiful home and quality of life. Gravel mining introduces heavy truck traffic, loud noise, heavy dust/reduced air quality and other negative effects of gravel mining.

Please include our testimony in the committee meeting minutes.

Thank you,

Glenn and Shari Hirt

Molly Wingrove

From: Marv Grahn/Chris Hauke <n17737@aim.com>
Sent: Monday, May 8, 2023 10:03 PM
To: Molly Wingrove
Subject: Re: Gravel Pit Mining

Dear Michigan House Regulatory Committee

Please vote NO on House Bills 4526, 4527, and 4528 regarding unrestricted mining in the State of Michigan.

They nullify local control of zoning within townships, without awareness of local issues nor residential use.

One size fits all is just wrong for the state.

Individual rights are greatly compromised, including the peaceful use of our home, losing the security of our home's value and livability, and degrading personal health from the constant noise, gravel dust, heavy machinery, vibration, and gravel semi trucks impact on traffic, and rural roads.

A manufacturing gravel pit gravel pile 50 ft. from a home is unconscionable. The noise and dust are invasive over a mile away!

Please leave local zoning to townships who are aware of local issues, allow citizen input, and keep tabs on the decades of gravel currently zoned for extraction.

Currently our township (Kasson) has 80-100 years of gravel zoned for extraction. We located our home to take current zoning into account for quieter rural living and the cleanest air for my asthma. How can citizens confidently buy a home when the land immediately around it, their investment, and peace of mind, may be destroyed at any time with no recourse?

Please vote NO in House Bills 4526, 4527, and 4528 if they come before the House.

Thank you,

Christine Hauke

11248 S. Tower Rd

Maple City, MI 49664

Molly Wingrove

From: David Pyrek <david.pyrek@clawsonschools.org>
Sent: Monday, May 8, 2023 9:59 PM
To: Molly Wingrove
Subject: gravel

House Bills 4526, 4527, and 4528 pose a serious threat to Leelanau county. I feel strongly about the importance of conserving our natural resources and local decision-making when it comes to new sand and gravel mining. Please vote No on the aforementioned house bills.

David Pyrek

Molly Wingrove

From: Lance Spitzner <lance.spitzner@gmail.com>
Sent: Monday, May 8, 2023 9:46 PM
To: Molly Wingrove
Subject: House Bills 4526, 4527, and 4528

Dear Molly, as a home owner in Empire MI I am appalled at the idea of House Bills 4526, 4527, and 4528 passing and hope you will vehemently oppose this attempt at corporate greed. This is nothing more than mining companies attempting to gain more control in the lands they destroy for their own profits. Michigan is recognized and respected as one of the most beautiful, natural states in the country. If these House Bills pass, greed will destroy that beauty.

I really appreciate your support for the state we love and want to keep for future generations! Please include this in the minutes of any relate meetings.

Thanks!

Lance Spitzner
lance.spitzner@gmail.com

Molly Wingrove

From: Jeff Cavanaugh <jeff_cavanaugh@hotmail.com>
Sent: Monday, May 8, 2023 9:38 PM
To: Molly Wingrove
Subject: House Bills on Mining

Hello,

Please vote no on House Bills 4526, 4527, and 4528. I'm a voter in Leelanau County and would like my testimony to be included in the committee meeting minutes.

Thanks
Jeff Cavanaugh (concerned voter)

Molly Wingrove

From: Douglas Julien <dfjulien@swbell.net>
Sent: Monday, May 8, 2023 9:24 PM
To: Molly Wingrove
Subject: Gravel mining bills

Please include my opposition to the gravel mining bills in your report. I am a permanent resident of Leelanau county, and I believe strongly that this should remain a local zoning issue. Gravel mines destroy the aesthetic value of a community for the enrichment of a few. These bills cannot be justified on any level and must be defeated. Just another short-sighted bad idea by those who cannot see beyond the selfishness of their handlers.

Sent from my iPhone
-Doug Julien

Molly Wingrove

From: kristi holmstrom <kristiholmstrom@gmail.com>
Sent: Monday, May 8, 2023 9:21 PM
To: Molly Wingrove
Subject: Michigan House Bills 4526, 4527, and 4528

Dear Ms. Wingrove,
Please include my testimony below in the committee meeting.

Dear Committee members,
Please do not support House Bills 4526, 4527, and 4528.

It's only right to have local governments and residents have a say in the decision to extract, process, and store sand and gravel in our region. These bills propose changes that could negatively and unfairly impact people's lives with excess noise, unsightly stockpiles, and significant changes to the natural landscape near their homes. Imagine your home and your parent's home with a new gravel yard next door. Imagine the daily stress that would create.

Peacefulness and beauty actually matter to the quality of life. We've all had enough hard times, especially lately. Please help support happy living for everyone by protecting the entire region's natural beauty and ecology and the quality of people's lives now and for the future generations of residents. Don't pass these bills. Instead, let local governments and residents make decisions about sand and gravel mining. Meanwhile, imagine better ways to build roads.

Thank you,
Kristi Holmstrom
10090 N Ranger
Northport, MI 49670

Molly Wingrove

From: Noelle Milkey <noelle@ff5design.com>
Sent: Monday, May 8, 2023 9:18 PM
To: Molly Wingrove
Subject: Fwd: No more gravel mining in Leelanau

Dear Ms. Wingrove,

I am forwarding the email I sent to Representative Coffia, in opposition to House Bills 4526, 4527, and 4528, per the instructions of her office. Thank you for your consideration.



Noelle Amerman Milkey

INTERIOR DESIGNER

noelle@ff5design.com

734.476.3671

ff5design.com

serving washtenaw, wayne, oakland and beyond

----- Forwarded message -----

From: Noelle Milkey <noelle@ff5design.com>

Date: Mon, May 8, 2023 at 5:35 PM

Subject: No more gravel mining in Leelanau

To: <BetsyCoffia@house.mi.gov>

Dear Representative Coffia,

Please vote no on Bills 4526, 4527, and 4528. As a Leelanau tax-payer, I support the Leelanau Conservancy in opposing these bills.

Thank you--



Noelle Amerman Milkey

INTERIOR DESIGNER

noelle@ff5design.com

734.476.3671

ff5design.com

serving washtenaw, leelanau, grand traverse and beyond

Molly Wingrove

From: Sara Boys <mindemoya@me.com>
Sent: Monday, May 8, 2023 9:14 PM
To: Molly Wingrove
Subject: Oppose House Bills 4526, 4527, 4528

Dear Ms Wingrove,

Please distribute this to the members of the committee.

I am writing you to ask you to oppose House Bills 4526, 4527, and 4528. These bills pose a serious threat to Leelanau County where I live. We do not want the state to usurp local control of sand and gravel mining and crushing and take away our local zoning and planning ordinances. We basically live on a sand dune and we need to be able to balance the needs of all property owners. These bills do not balance the needs of the community but rather put profit over people and ignore local governments and property owners.

Please stand with Michigan communities and oppose House Bills 4526, 4527, and 4528.

Sincerely,
Sara Boys

Sara Boys
mindemoya@me.com
231-620-3921

Molly Wingrove

From: Whitney, Doug, Roberts <mindemoya@gmail.com>
Sent: Monday, May 8, 2023 9:12 PM
To: Molly Wingrove
Subject: HB 4526, HB 4527 and HB 4528

Ms. Molly Wingrove, Clerk,
Please provide copies of this missive to the committee members. Thank you.

Honorable Members of the House Regulatory Reform Committee

I am writing to encourage you to not weaken local control in Michigan. House Bills 4526,4527 and 4528 which remove control of sand and gravel mining and processing from local zoning boards does nothing to protect our townships and all our citizens. Putting this control in the hands of EGLE significantly weakens local control. PLEASE VOTE AGAINST HB 4526, HB4527 and HB 4528.

Thank you,

Whitney Roberts
Elmwood Township
Leelanau County

--

Plus ça change, Plus
C'est la même chose
email: mindemoya@gmail.com
Tele: Doug 231 620 3920
Sara 231 620 3921

Molly Wingrove

From: Sue Bowyer <suebowyer059@gmail.com>
Sent: Monday, May 8, 2023 9:06 PM
To: Rep. Tyrone Carter (District 1); Rep. Tullio Liberati (District 2); Rep. Mike Mueller (District 72); Rep. Cynthia Neeley (District 70); Rep. Helena Scott (District 7); Rep. Stephanie Young (District 16); Rep. Kristian C. Grant (District 82); Rep. Mike McFall (District 8); Rep. Will Snyder (District 87); Rep. Jimmie Wilson Jr. (District 32); Rep. Graham Filler (District 93); Rep. Pauline Wendzel (District 39); Rep. Joseph A. Aragona (District 60); Rep. Matthew Bierlein (District 97); Rep. Jerry Neyer (District 92); Molly Wingrove
Subject: HB 4526-4528 - Please vote NO

Please allow our local government to determine if a gravel mine should be allowed in our community. Please vote NO on HB 4526-4528. We the people have the right to enjoy our homes, communities and neighborhoods. We the people have the right to enjoy the outdoors/nature without constant noise, dust and gravel trains driving through our streets where our children go to school, walk, run and ride their bikes. We the people have the right to have regulations that enforce noise pollution, bad road conditions from the trucks. We the people have the right to remove a permit if gravel mines are not being good neighbors. We the people have the right to keep our property values and mental health! Our small town is changing from the town between the lakes to the town of gravel mines. If these bills pass, they could open a mine on a lake or next to a lake with the possibility of contamination or hurting wildlife. Lakes are a natural resource that needs to be protected more than gravel is needed. It is not fair to remove control from the local government to avoid a gravel mine takeover. The people's local government can control how many are operating within a certain mile radius to keep it contained.

This is bad for We the People as families, property owners, local business owners and townships. This is only favorable to gravel companies.

Points to mention.

- The bills would allow the mines to remove sand and gravel from the current MZEA provisions, so there is no requirement to prove need, value, or Very Serious Consequences. No mechanism to appeal a decision by EGLE.
- The bills specifically supersedes all local zoning and master plan provisions. Local units of government are totally un-involved.
- The bills would allow mining up to 50 ft of a permitted property line.
- The bills will allow for sound levels at the property line of 75 dbA on an 8-hour time weighted average. That means they could make a huge racket for half a day if they were relatively quiet the rest of the day. And spot checks of dbA levels will do no good as you would have to continuously monitor the entire day to get the average. This requires some fancy equipment to do that, so it is basically unenforceable.
- The bills would allow for periodic air blasts of 133 dbA. Our town is a many lake community, sound travels on our great inland lakes.....Ouch!!!
- If a person files a complaint with EGLE and EGLE investigates and dismisses the complaint, then if that person files another complaint that is ultimately dismissed, the person who files the complaint will pay all EGLE's cost to investigate.

- Permits are valid for the life of the mine but may be rescinded if mine activity does not start within 10 years. So, they could just build an access road after nine years and that would meet the requirement for mining activity. This is just the miners wanting to lock up a reserve of permitted sites before more stringent controls are imposed in the future.
- No public hearing is required. EGLE may schedule one at its discretion and only must provide 5 days' notice.
- Reclamation security is required, but only \$3000 - \$8000 per acre (not enough), with no provision for annual escalation for inflation.

Please vote NO to these bills and keep control in our local townships.

Thank you
Sue Bowyer
8358 Chain O Lakes
Delton MI 49046

Molly Wingrove

From: Alison Heins <aheins17@gmail.com>
Sent: Monday, May 8, 2023 8:51 PM
To: Molly Wingrove
Subject: No to the sand and gravel mining bills

I strongly oppose HB4526, 4527 and 4528. These bills prioritize profits over local residents' needs. They would be detrimental to the environment, property values, and quality of life for all living in the vicinity of such operations. Local governments need to have the right to exert local control over commercial operations.

Please record my opinion.

Thank you.

Alison S. Heins,

Elmwood Township, Leelanau County

Molly Wingrove

From: Don Drabik <dwdrabik@gmail.com>
Sent: Monday, May 8, 2023 8:30 PM
To: Molly Wingrove
Subject: House Bills 4526-4528

As a concerned citizen of Kasson Township I would like to express my disappointment to the introduction of the bills 4526 and 4528!! This proves that our government has no concern for the residents and local government being able to protect our environment! It proves that people in metropolitan areas just have to have convenience and don't care how or where they come from even at the cost of destroying rural areas that they can't see or care about. Seems the politicians feel the same way, keep the people in the cities and big business happy keeping your job! Once a quarry is finished extracting sand and gravel, the land is destroyed. Nothing will grow there but weeds. Also people in cities and our capital don't have to worry about a mining operation to be operating next to their property! This is a bad judgement bill and as a tax payer and resident of this state I would like you NOT to support this bill and strongly work to have it voted down! This bill is a slap in the face to the land and home owners in the State Of Michigan!

Don Drabik Studios (North)
Voice: 231.228.2226
10475 S. Fritz Rd.
Maple City, MI

NEW EMAIL
dwdrabik@gmail.com

Molly Wingrove

From: Carolyn Francis <northerngal_tc@yahoo.com>
Sent: Monday, May 8, 2023 8:25 PM
To: Molly Wingrove
Subject: House Bills 4526, 4527, and 4528 pose a serious threat to Leelanau county.

Leelanau County is a precious resource that needs to be protected. I urge you to vote NO to House Bills 4526, 4527, and 4528.

Please relay your thoughts

Carolyn Francis

Sent from my iPhone

Molly Wingrove

From: K P <petterlek@gmail.com>
Sent: Monday, May 8, 2023 8:25 PM
To: Molly Wingrove
Subject: Opposition of HB 4526, 4527, and 4528

Ms. Wingrove, I would like to formally state my opposition of HB 4526, 4527, and 4528. I ask that this be added to the committee record and taken into consideration. These bills remove local governments ability to serve their community and would be detrimental to Michiganders. Issues that affect a local community such as mining operations should be controlled by the local community. Thank you for your time.

Kory Petterle
Cambridge Twp Resident



May 9, 2023

RE: House Committee on Regulatory Reform Meeting, Tuesday, May 9, 2023
House Bills 4526, 4527, and 4528 - Regulations for Mining of Sand and Gravel Operations

Dear Chair Carter and Committee Members:

Tip of the Mitt Watershed Council, on behalf of its 2,300 plus members, wishes to extend our concern with regards to House Bills 4526 – 4528. House Bills 4526, 4527, and 4528 would transfer permitting and oversight of sand and gravel mines from local governments to the state and would specify that Part 639 would preempt an ordinance, regulation, resolution, policy, practice, or master plan of a governmental authority created by the state constitution or statute or of a city, village, township, or county that prohibits or regulates mining, including its location, development and trucking activities. .

Tip of the Mitt Watershed Council is a nonprofit organization founded in 1979. We speak on behalf of our members including full-time and seasonal residents, lake associations, and businesses. We work to maintain the environmental integrity and economic and aesthetic values of lakes, streams, wetlands, and groundwater in Northern Michigan, as well as statewide and throughout the Great Lakes Basin. As a lead organization for water resources protection in Antrim, Charlevoix, Cheboygan, and Emmet Counties, the Watershed Council is working to preserve the heritage of Northern Michigan – a tradition built around our magnificent waters.

We are greatly concerned about the impacts the enactment of these bills would have for local governments to protect resources above and beyond what the state allows. Proactive efforts by local governments to preserve the quality of life in their community are part of the rich history of home rule in Michigan. In Michigan, local government has traditionally assumed the responsibility for land use control through zoning and ordinances. The ability for local governments to protect their community's character while at the same time protecting the overall public and environmental health for the long term would be severely hindered though the enactment of these bill.

Currently, local units of government can regulate but seldom prohibit the extraction of natural resources. Local governments can reasonably regulate (MCL 125.3205(6)) hours of operation, blasting hours, noise levels, dust-control measures and traffic. However, such regulations must be "reasonable" in accommodating customary mining operations.

Tip of the Mitt Watershed Council
426 Bay Street | Petoskey, MI 49770
www.watershedcouncil.org

Local zoning is intended to protect local residents, and local officials understand the importance of building strong communities, protecting public health and safety and improving quality of life. Zoning is designed to determine what areas within a local community are appropriate for which uses, thereby balancing out the needs of residents, businesses, and protection of natural resources. By preempting zoning requirements, mining operations could easily be approved in areas designated for other uses, such as sensitive natural areas or residential area.

Furthermore, a Master Plan is a document and policy guide designed to help communities create a vision of what they want to look like in the future. Master Plans help guide communities in their decisions on land use development and preservation. When it comes to mining operations, the goal is to ensure that the effect of interactions are regarded as positive by those affected locally as well as by the promoters of the project, and that communities develop in ways that are consistent with their own vision. The best way to achieve this is through local control and approval.

Tip of the Mitt Watershed Council has a long history of working collaboratively with local units of government and mining companies to identify ways in which companies can effectively mine for aggregates while protecting water resources and the local community.

For example, at the request of the Emmet County Planning Commission, the Watershed Council met with the Rieth-Riley Construction Company and its representatives to discuss a proposed gravel mining operation in Carp Lake Township. As a result of these discussions, a number of conditions were added to the permit to protect local water resources and community members including:

1. All required county and state-level permits must be granted prior to operation, including a soil erosion and sedimentation control permit and a wetland permit, if necessary.
2. A formal wetland delineation was conducted prior conducting any operations. In addition, the company will place signage/flags will be used to alert workers to the location of all wetlands. Furthermore, a berm will be placed between operations and the wetlands to protect the wetlands from runoff.
3. Equipment will be sourced locally and during the county's yearly site visit, the county will monitor for invasive species. Should invasive species be identified on the site, the company will be responsible for management and control in a proper and timely manner to avoid further spread.
4. The company has agreed to include a map of surface waters along with their application.
5. The company provided independent borehole data taken by Pearson Drilling and reviewed by Dean Geers of the Atwell Group.
6. The company agreed to not wash the aggregate onsite. The only water use on site will be for dust suppression. There will be no water wells on the site to be used for drawing groundwater for other uses. Trucks will be filled with water at a third-party location
7. The company is willing to provide for a third party to test the two residential wells that abut the proposed project site. The third party will determine what contaminants the wells should be tested for based on the conditions on site and the drinking water standards per the Health Department of Northwest Michigan.
8. Setbacks were increased for the areas with neighboring buildings onsite.

The Watershed Council appreciates the collaborative nature of its discussions with the mining company and their willingness to take steps to ensure that groundwater, surface water, and drinking water resources are protected during and after operations. This is just one of many examples in which the Watershed Council has worked with a local government to improve the protections in place for mining activities.

Such dialogue and additional protections would not be put into place if local government authority is preempted. The bills would ultimately remove the authority for local governments to provide for the public interest and protect local resources and public health.

While the bills introduced prescribe a number of requirements that sand and gravel mining companies must meet, it fails to allow for local governments or the Michigan Department of Environment, Great Lakes, and Energy to address all of the concerns that come with mining operations, such as invasive species management. In addition, it fails to allow local community concerns to be adequately addressed, such as requiring the testing of nearby drinking water wells or increasing setbacks. Provisions are not included to allow for modifications and conditions to be made to permits based upon feedback provided during the public comment period. In the end, this is likely to result in an increase of contested cases and lawsuits.

Based on the Watershed Council's history and experience, it is far better to engage in productive, proactive dialogue with community members, mining operators, and local units of government to find a solution that serves not only the needs of the gravel or sand operation, but also protects the welfare, character, and environment of the local community.

Therefore, we urge you to oppose House Bills 4526, 4527, and 4528 to ensure that vital decision-making authority is not taken away from those in the best position to make them. We urge to you to maintain the long-standing tradition of home rule in Michigan, and allow local governments to work collaboratively with mining operators to protect the welfare and safety of our citizens and ensure our environment is safeguarded.

Please feel free contact me with further questions or concerns at (231) 347-1181 or jenniferm@watershedcouncil.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer McKay', with a stylized flourish at the end.

Jennifer McKay
Policy Director

Molly Wingrove

From: Ross Satterwhite <ross@ibcap.com>
Sent: Monday, May 8, 2023 8:09 PM
To: Molly Wingrove
Subject: Fwd: No to Gravel Mining Bills.

Hi. Please note my opposition to the mining bills for inclusion into the record tomorrow.

Thank you.

Ross Satterwhite
312 593 4880

Begin forwarded message:

From: Ross Satterwhite <ross@ibcap.com>
Date: May 8, 2023 at 5:29:44 PM EDT
To: BetsyCoffia@house.mi.gov
Subject: No to Gravel Mining Bills.

Dear Representative Coffia.

It's imperative these gravel mining bills are voted down. The citizens of Michigan have a right to decide for themselves locally these types of land use issues. In my community, unrestricted permissibility of gravel mining is nuts and would threaten our agricultural and tourism businesses. This is super critical. Please don't approve these bills.

Thanks.

Ross Satterwhite
312 593 4880

Molly Wingrove

From: Bryce <bryce.dreeszen@gmail.com>
Sent: Monday, May 8, 2023 8:05 PM
To: Molly Wingrove
Subject: Please Stop Gravel Mining Expansion

Dear Molly,

I'm very concerned about House Bills 4526, 4527 and 4528 and the threat that they present to the rural character of Northern Michigan. If gravel mining isn't supervised by EGLE, there's nothing to stop mining interests from expanding without limits. Public hearings should also be required before a pit is permitted.

Thank you in advance for opposing these bills.

Bryce and Paula Dreeszen
10200 Filer Switch Ln

Molly Wingrove

From: Dusty Fancher <fancher@midweststrategy.com>
Sent: Monday, May 8, 2023 7:51 PM
To: Molly Wingrove; Madelyn Day
Subject: Metamora Land Preservation

Michele Joliet and Chris Bizdock would like to testify in opposition. They request 5 minutes.

Dusty Fancher
Partner
Midwest Strategy Group
Mobile 517-749-6202
fancher@midweststrategy.com

Molly Wingrove

From: Dusty Fancher <fancher@midweststrategy.com>
Sent: Monday, May 8, 2023 7:48 PM
To: Madelyn Day
Cc: Molly Wingrove
Subject: - HB 4526, 4527, & 4528
Attachments: 2023 Legislative Opposition - GAF.docx; 2023 Legislative Opposition - GAF.docx

Hi Molly and Madelyn

I wanted to ask that Metamora Township Treasurer Scott Benscoter would like to testify. He's opposed and asking for 3 minutes.

Dusty Fancher
Partner
Midwest Strategy Group
Mobile 517-749-6202
fancher@midweststrategy.com

Molly Wingrove

From: Brad Dyksterhouse <bsdhouse@yahoo.com>
Sent: Monday, May 8, 2023 7:46 PM
To: Molly Wingrove
Subject: Fwd: VOTE NO IN BILLS 4526-4528

Please see below email. I would like to include my testimony in the committee meeting minutes for these bills.

Thank-you.

Brad & Cindy Dyksterhouse
10501 S Chestnut Rdg
Maple City, MI 49664
231-357-7545

Begin forwarded message:

From: Brad Dyksterhouse <bsdhouse@yahoo.com>
Date: May 7, 2023 at 9:48:03 AM EDT
To: tyronecarter@house.mi.gov, BetsyCoffia@house.mi.gov
Subject: VOTE NO IN BILLS 4526-4528

Please vote NO on bills 4526-4528 as they take away the rights of your constituents to decide what's right for their communities. I live near the gravel district in Kasson Township so I know firsthand the level of destruction gravel mining has on the environment and our beautiful area. The current gravel districts here are already large enough to provide gravel for multiple generations to come. We certainly don't need more. PLEASE VOTE NO TO THIS USELESS AND YET HARMFUL LEGISLATION.

Brad Dyksterhouse
Cindy Dyksterhouse
10501 S Chestnut Rdg
Maple City, MI 49664
231-357-7545

Molly Wingrove

From: George Wellman <gwellman@mac.com>
Sent: Monday, May 8, 2023 7:30 PM
To: Molly Wingrove
Cc: George Wellman
Subject: House Bills 4526, 4527, 4528

I am opposed to House Bills 4526, 4527, 4528.

Dr. George Wellman
Cedar, Michigan

Molly Wingrove

From: Jill Wellman <sarajwellman@gmail.com>
Sent: Monday, May 8, 2023 7:27 PM
To: Molly Wingrove
Cc: Jill Wellman
Subject: House Bills 4526, 4527, 4528

Please record my opposition to House Bills 4526, 4527 and 4528.

Sara Jill Wellman
Leelanau County

Molly Wingrove

From: Cathy Nearhood <cathynearhood@gmail.com>
Sent: Monday, May 8, 2023 7:17 PM
To: Molly Wingrove
Subject: 4526,4527,4528

Hi Molly,

I am emailing you to voice my concerns over 45326, 4527, and 4528. I am against these bills because it will take away the rights of the citizens and our townships. Please vote no. As a citizen I believe the local control for zoning should be a decision for the township and not the state. The township zoning understands the topography, aquifers and where the watersheds are located. "Pure Michigan is known for the lakes beauty and recreational areas. These mining if taken out of the citizens and township hands could ruin all our natural resources. I am a resident in the Irish Hills where there are 52 lakes within a 5 mile radius. These lakes are spring fed and if a company hits aquifer the area will not have any natural lakes and will destroy the topography and beauty.

I want to make it clear I am not against aggregate mining but I think where the mining happens is so important. Michigan should have a map of places of aggregate mining that will not disturb the wetlands, lakes, or population. These bills will destroy our land and basically the aggregate mining will happen anywhere with no regulations. EGLE does not have enough man power to regulate every aggregate mine in the state. The township can regulate the mining and make sure that it is done properly and the laws will be maintained and that is why I want it to stay locally. The Township has zoning laws for a reason and zoning supervisor who can help regulate the mining. The citizens and the townships have a vested interest in the area where they live.

The second concern is that the Aggregate Mining company is not from Michigan so they have no concerns for Michigan. Stoneco headquarters are in Brazil, not even in the United States. They do not have a vested interest in Michigan let alone the United States. They will reap and profit from Michigan's natural resources and leave it in ruins.

The Third concern is all these Aggregate Mining Company's have lobbyist and the citizens do not have a voice. When I call or try to get a hold of my representative no one answers. The citizens have not been able to testify yet these Lobbyist have access to the Senators and Representatives all the time.

I would like to have a day where we can talk about our ideas and concerns.

The fourth concern I believe that these aggregate Mining Company's are telling lies. Michigan is the #1 exporter of aggregate in the United States yet we have the worst roads in the United States. I do not believe that this aggregate is for Michigan. I do not see any orange cones around area. In fact our roads are still dirt roads with potholes that I have to daily navigate.

Finally, these bills were introduced every year and voted down yet they are reintroduced as just another #. I feel once they do not pass they should not be reintroduced every year.

I am asking you for the citizens in the Irish Hills and the citizens of Michigan do not pass these bills.

Cathy Nearhood

1651 Glendale Ct

Brooklyn Michigan

Please email with a response to cathynearhood@gmail.com

Molly Wingrove

From: Gerald Fisher <fisherg@cooley.edu>
Sent: Monday, May 8, 2023 7:16 PM
To: Madelyn Day; Molly Wingrove
Cc: Grier, Thomas; Gregory Julian; Peter Psarouthakis; Scott Bencoter Metamora Township Treasurer; Jennie Dagher; David Best
Subject: House Reg. Reform Comm, May 9, 2023 - HB 4526, 4527, & 4528
Attachments: 2023 Legislative Opposition - GAF.docx

Hello,

I am an attorney for three townships, Metamora, Kasson, and Sharon, and a former Township Supervisor. It is my understanding that your offices have been contacted by Greg Julian, Kasson Township Supervisor, and Dusty Fancher of Midwest, making a request that I be allowed to present at the Committee hearing scheduled for tomorrow at 10:30 am. This will confirm my request to speak. My presentation will be in opposition to the referenced bills.

I am attaching to this email a one page sheet that summarizes my presentation, and it is requested that this be distributed to the members of the committee.

The Treasurer of Metamora Township will also be attending the hearing, and for efficiency purposes it would be excellent if he could be called to speak at the same time assuming that I will get that opportunity to speak.

Thank you very much.

Gerald Fisher



We make a living by what we get, but we make a life by what we give.

--Winston Churchill

Molly Wingrove

From: Rep. Tyrone Carter (District 1)
Sent: Monday, May 8, 2023 7:14 PM
To: Molly Wingrove
Subject: FW: House Bills 4526, 27 and 28

Office of Representative Tyrone Carter
Detroit Caucus Chair
Michigan House of Representatives
District 1
tyronecarter@house.mi.gov
517.373.0154

From: Peter Wolcott <peter.wolcott@outlook.com>
Sent: Monday, May 8, 2023 5:32 PM
To: Rep. Tyrone Carter (District 1) <TyroneCarter@house.mi.gov>
Subject: House Bills 4526, 27 and 28

I am submitting for the Hearing tomorrow of the Michigan House Regulatory Reform Committee my opposition to Michigan House Bills 4526, 4527, and 4528. I object because they take away regulatory powers which rightfully belong to local Government. They also have the potential for negative environmental impacts without local citizens being given the right to evaluate proposals. I am potentially impacted as there are two inactive gravel pits near my home in Leelanau Township.s

Sent from Mail for Windows

Molly Wingrove

From: Rep. Tyrone Carter (District 1)
Sent: Monday, May 8, 2023 7:14 PM
To: Molly Wingrove
Subject: FW: Card in Opposition to House Bills 4526, 4527 and 4528.

Office of Representative Tyrone Carter
Detroit Caucus Chair
Michigan House of Representatives
District 1
tyronecarter@house.mi.gov
517.373.0154

From: Gerald Schatz <geraldschatz@charter.net>
Sent: Monday, May 8, 2023 7:04 PM
To: Rep. Tyrone Carter (District 1) <TyroneCarter@house.mi.gov>; wingrove@house.mi.gov
Cc: Rep. Betsy Coffia (District 103) <BetsyCoffia@house.mi.gov>
Subject: Card in Opposition to House Bills 4526, 4527 and 4528.

To the Regulatory Reform Committee of the Michigan House of Representatives:

Please consider this communication a Card in Opposition to House Bills 4526, 4527 and 4528 and associated measures.

I am a Leelanau Township planning commissioner and a former member of the Governing Board of the Federal Bar Association's Energy, Environment, and Natural Resources Section.

Putting it plainly:

-- This legislative package--apparently intended to help natural resource industries circumvent local law regarding siting decisions--would make for bad governance. It would give neither industries nor local jurisdictions needed stability and predictability and instead would likely trigger extended litigation.

-- By legislative carve-outs, this legislative package would contravene the broad public policy set forth in Michigan's planning and zoning acts and would amount to the Legislature's enabling industries to do in effect what local government cannot--namely spot-zoning, which is unconstitutional. That surely would take time to settle.

-- This package would give the state limited decision responsibility and no enforcement authority and would put the state in the position of having its approvals disapproved where in conflict with federal water interests.

-- This package would tempt industry into liability exposure that surely it doesn't want. The legislation's threshold of "very serious harm" for after-the-fact damage claims is unconstitutionally vague and runs up against well established tort law.

-- This package has no requirement for environmental impact assessment that could head off a futile project.

-- This package would cut property values and consequently cut local tax base inasmuch as the possibility of a major, unstoppable flouting of planning and zoning would now hang over every county, township, and property parcel in Michigan. Property values depend in large measure on the stability and predictability of the conditions governing their locales.

Please, legislators, scrap this legislative package.

Thank you for your attention.

Gerald S. Schatz, J.D.
505 N. Mill St.
P.O. Box 178
Northport, MI 49670-0178
231.632.0328
231.386.5936
Reply to: geraldschatz@charter.net

Pro bono

Admitted to practice:
District of Columbia
Pennsylvania
Federal agencies



Molly Wingrove

From: Dean Manikas <manikasdean@gmail.com>
Sent: Monday, May 8, 2023 7:09 PM
To: Molly Wingrove
Subject: HB 4526,4527,4528

I am a resident of Leelanau County. Ours is a land of delight with rolling hills, working farms, clean lakes, hardwood forests, all sitting on glacial gravel and sand. We have lawful zoning, controlled by local residents through the closest to the source democracy in the state. I strongly object to the consideration of stripping local control over our fragile beautiful environment for the profit of a few at the loss of the many.

Local, democratic practices are closest to those most effected by zoning regulation. Please protect our property rights by maintaining local control. Withdraw HB 4526, 4527, 4528 from consideration.

Molly Wingrove

From: Rep. Betsy Coffia (District 103)
Sent: Monday, May 8, 2023 7:09 PM
To: Molly Wingrove
Subject: FW: Card in Opposition to House Bills 4526, 4527 and 4528.

From: Gerald Schatz <geraldschatz@charter.net>
Sent: Monday, May 8, 2023 7:04 PM
To: Rep. Tyrone Carter (District 1) <TyroneCarter@house.mi.gov>; wingrove@house.mi.gov
Cc: Rep. Betsy Coffia (District 103) <BetsyCoffia@house.mi.gov>
Subject: Card in Opposition to House Bills 4526, 4527 and 4528.

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Putting it plainly:

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-- By legislative carve-outs, this legislative package would contravene the broad public policy set forth in Michigan's planning and zoning acts and would amount to the Legislature's enabling industries to do in effect what local government cannot--namely spot-zoning, which is unconstitutional. That surely would take time to settle.

-- This package would give the state limited decision responsibility and no enforcement authority and would put the state in the position of having its approvals disapproved where in conflict with federal water interests.

-- This package would tempt industry into liability exposure that surely it doesn't want. The legislation's threshold of "very serious harm" for after-the-fact damage claims is unconstitutionally vague and runs up against well established tort law.

-- This package has no requirement for environmental impact assessment that could head off a futile project.

-- This package would cut property values and consequently cut local tax base inasmuch as the possibility of a major, unstoppable flouting of planning and zoning would now hang over every county, township, and property parcel in Michigan. Property values depend in large measure on the stability and predictability of the conditions governing their locales.

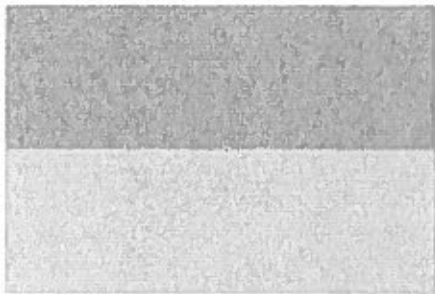
Please, legislators, scrap this legislative package.

Thank you for your attention.

Gerald S. Schatz, J.D.
505 N. Mill St.
P.O. Box 178
Northport, MI 49670-0178
231.632.0328
231.386.5936
Reply to: geraldschatz@charter.net

Pro bono

Admitted to practice:
District of Columbia
Pennsylvania
Federal agencies



Molly Wingrove

From: Allison Zimpfer <allison.marie.rogers@gmail.com>
Sent: Monday, May 8, 2023 6:49 PM
To: Molly Wingrove
Subject: HB 4526, 4527, & 4528

Hello,

I am a resident of Leelanau County and would like to express my concerns about House Bills 4526, 4527, and 4528. These bills, if passed, would preempt local zoning and have potentially devastating environmental and community impacts. Not only would local regulations- about things from noise and hours of operation- be moot and without recourse, EGLE's needs and assurances about gravel and sand mining operations would be prioritized over those most affected.

Thank you for your time and consideration,

Allison Zimpfer
Kasson Township, Leelanau County

--
Allison Zimpfer
Pronouns: she/her/hers

Molly Wingrove

From: Kama Ross <kama.ross@yahoo.com>
Sent: Monday, May 8, 2023 6:36 PM
To: Molly Wingrove; Rep. Tyrone Carter (District 1); Rep. Tullio Liberati (District 2); Rep. Mike Mueller (District 72)
Subject: House Bills 4526,4527 and 4528

I am a retired forester providing technical assistance to landowners in Benzie, Grand Traverse and Leelanau Counties. In retirement, I now serve as Leelanau County District 5 Commissioner. I know land use issues from many perspectives and am writing you with my strong opposition to this legislation. These bills threaten our local communities' rights over having the last word on whether to allow new sand and gravel surface mines. **Our gravel districts in Leelanau County (almost my backyard) work well with area landowners, and local units of government. Just because some areas of the state are struggling, do not make us all suffer overreaching state control. Work on the real problems where they exist.**

Not only do HBs 4526, 4527, and 4528 remove local communities from the decision-making process, new, large surface mining operations threaten our local tourism and agricultural economy, the scenic beauty and ecological integrity of the area, and our drinking water. In Leelanau County, we have our priorities in line with being good stewards of the land and making sure our resources are managed for a sustainable future for all. Do not take this responsibility, which we take very seriously, away from us.

Vote no on all three House Bills Please!!

Thank you,

Kama Ross

231-920-4055

Molly Wingrove

From: Peter Wolcott <peter.wolcott@outlook.com>
Sent: Monday, May 8, 2023 5:26 PM
To: Molly Wingrove
Subject: Michigan House Bills 4526, 4527, and 4528

I am submitting for the Hearing tomorrow of the Michigan House Regulatory Reform Committee my opposition to Michigan House Bills 4526, 4527, and 4528. I object because they take away regulatory powers which rightfully belong to local Government. They also have the potential for negative environmental impacts without local citizens being given the right to evaluate proposals. I am potentially impacted as there are two inactive gravel pits near my home in Leelanau Township.s

Sent from [Mail](#) for