Chair Carter, Clerk Wingrove, and members of the House Regulatory Reform Committee,

My name is Bill Richardson, and I testified at the May 9, 2023 Regulatory Reform Committee in opposition to House Bills 4526, 4527, and 4528 regarding the permitting process for mining operations in Michigan. By the time I had testified on May 9th, most of the committee members had left as the committee hearing went over on time (and I will thank you again Mr. Chair for staying late to hear all the testimony).

I would like to submit the below written testimony for tomorrow's committee hearing as it is again on the agenda and I am presuming at this point you will be taking a vote to report or not to the House floor for a vote.
Please attach this testimony to the committee's official records.

I am the Chair of Waterloo Township's extraction committee. Waterloo has 2 gravel mines that have been in operation for decades and our township has successfully managed the annual permitting process that entire time. Moving the permitting process to the state under EGLE could produce terrible results for our Township's residents as you will read in my testimony below (and attached).

I might also add that I heard arguments for these bills claiming "we need aggregate faster to fix our roads". Our personal experience with the two mines in Waterloo is that there has always been at least 50,000 tons of material stockpiled at these sites waiting for trucks to pick it up. To put things in perspective, this would fill roughly a THOUSAND (1000) double train gravel haulers. NEVER, in my 20+ years of working with gravel mine operators, have I heard of trucks coming to get loaded and there was no material available. Based upon this, I believe the 'shortage of material' argument to push these bills through is a false one and disingenuous.

Please keep gravel mining permitting control local and do not move these bills to the House floor for a vote.

My testimony is pasted below and also attached to this email as a pdf.

Thank you for your consideration,

Bill Richardson
Chair - Waterloo Twp Extraction Committee

Bill Richardson

- **Written Testimony for the June 13th, 2023 House Regulatory Reform Cmte meeting**
- **Position: Oppose House Bills 4526-4528**

My name is Bill Richardson and I live in Waterloo Township in Jackson County.

I have served as the Waterloo Township Extraction Committee Chair for the past 15 years, I am one of the co-authors of Waterloo Township's 2002 Extraction Ordinance, and have been involved in the permitting process for two extractive operations in Waterloo for the past 21 years. One of the mines is a sizable one of 335 acres that produces gravel and small stone product. The other is a smaller operation of approximately 70 acres that excavates mainly sand.

Waterloo Township's Extraction Committee performs annual permit renewals for Extractive operations. We find the annual review helpful and necessary to keep up with the progress at the plant and allows for corrections, if necessary, before things can't be undone. It can also help the operator save money by reducing the amount of the reclamation bond as they perform phased reclamation on the site.

The Township's Extraction Committee exists specifically for reviewing these applications, both renewals and initial applications. The Committee consists of a Chair, 2 Township Board members, one Planning Commission member, and two citizens who live in the Township. Also on this Committee is a member of our legal firm and a member of the engineering firm that we contract with for these permit renewals.

This process has been working very well in our Township for two decades. The Township has what it considers 'partnerships' with the two extractive operations. The Township recognizes the right of the operation to mine a critical resource that is necessary for all residents of Michigan, and the mining operations recognize the Township resident's rights of health, safety and welfare while the mining facility is in operation.

I believe <u>local control</u> should be maintained because the Township (the smallest local unit of government in this case) is closest to the operation, understand the impacts on its citizens, and can monitor in real time how the operations are progressing against the operation's goals and the applicable requirements. This facilitates a quicker response to any issues.

I would like to provide a couple of quick examples of how local control has helped in Waterloo Township:

1. If loose gravel is observed on the road exiting the Aggregate Resources pit area (which happens to be on a curve), this can cause a safety issue, and we can call the contact at the operation and they take care of it with a sweeper they have on-site.
2. We had concerns a few years ago from citizens whose children were getting on a bus at 6:40 a.m. and saw a loaded gravel truck having to lock up its brakes <u>to keep from hitting the school bus</u>. This happened more than once. As a result, the Township updated it's ordinance and moved the hours of operation back to 7:00 a.m. to avoid this potential safety issue with the morning school bus schedule.

3. We had a proposal recently from one of our operations to mine material underneath a low traffic gravel road within our Township (since they were mining on both sides of that road already). The operation had county approval to do so, and the proposal would result in a contour that will be more pleasing to the eye when fully reclaimed, so the Township was in favor of this as well. However, the Township was also aware that there is an annual gravel bike road race (one of the EPIC race events in the state) that utilizes that particular gravel road and the Township didn't want EPIC races to have to cancel the event as it draws awareness about our Township. So, the Township connected the race coordinator with the Regional Manager of the operation and they worked out an alternate route for the race while the road is being mined, a route that went through the pit and the operation shut down for the day to allow the event to happen. This agreement was included in the conditions of the permit. All parties involved were satisfied with the arrangement.

I bring these examples up because they are good examples of the need to have local authority over these types of projects. The local municipalities are closest to the operation, they are more familiar with the residents in the area and what concerns they might have, and they are much quicker to respond than any state agency would be.

I may also add that if there are issues with one or two townships in the state delaying or denying permits outright, that these issues be addressed separately as opposed to stripping away ALL regulatory authority from ALL townships, since most of us make it work just fine.

In addition to removing local control, HB4528 also moves things in the wrong direction when it comes to public health, safety and welfare of our residents in Waterloo Township. I am speaking specifically about setbacks for mining and structures, as well as operating hours. The setbacks are far too small and the hours of operation provide no peace for our residents. Also, the proposed required minimum hours of operation (6 am -7 pm) in **HB4528 would potentially put Waterloo Township children's lives at risk** based upon one of the examples I have already given regarding the morning school bus schedule in our area.

These are my reasons for opposing House Bills 4526-4528.

I thank you for your consideration,

Bill Richardson
Waterloo Township Extraction Committee Chair

CC: Doug Lance: Waterloo Township Supervisor & Extraction Committee Member
CC: Janice Kitley: Waterloo Township Clerk
CC: Wendy Walz: Waterloo Township Treasurer