Molly Wingrove

From: Jim Staley <thriftguy2@gmail.com>
Sent: Monday, May 8, 2023 6:45 AM
To: Rep. Tyrone Carter (District 1); Rep. Tullio Liberati (District 2); Rep. Mike Mueller (District 72); CynthisNeeley@house.mi.gov; 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
Cc: SenSMcCann@senate.michigan.gov; Rep. Matt Hall (District 42)
Subject: Gravel Pits

Follow Up Flag: Follow up
Flag Status: Flagged

I have read about new bills (HB 4526 - 4528) being up for consideration which would strip away local zoning control of gravel pits and associated processing.

I would like to add my voice to prevent the taking away of local zoning approvals for gravel pits, sand and gravel mines, crushing facilities or storage facilities (or similar activities).

Local zoning control of these are critical to the retention of the character of every community. Local zoning control is there to provide the local citizens the opportunity to determine the way they would like to live. Taking away this right of self-direction could be disastrous for the local community, their environment, and their property values.

Having moved back to Michigan in 2020, our choice of where to live was highly determined by the quality of life offered in various communities.

I urge you to reject this attempt to side-step local control.

Jim Staley
9226 Cottage Bend
Richland, MI 49083

(860) 849-4906

Molly Wingrove

From: Bill & Sue Krueger <bskrueg@gmail.com>
Sent: Sunday, May 7, 2023 11:20 PM
To: Molly Wingrove
Subject: Vote NO to House Bills 4526. 4527 & 4528. Keep Local Control

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Committee Clerk Wingrove,

We are aware you are considering three gravel mining bills (House Bills 4526. 4527 & 4528) which were introduced into the Regulatory Reform Committee which you serve on.

We have owned a lake front home in the small rural town of Delton, in Barry Country for the past 18 years. We bought this home for its lake life and quiet natural beauty. It is a place of retreat and refreshment from the stresses of life and a place of gathering for our family and friends. For the past three years our lake community has been living under the threat of a proposed gravel mine on a 150 acre parcel with 800 feet of lake frontage on the lake we live on (Wilkinson Lake). Common sense would say this is the wrong place for a gravel mine. There are currently NO gravel mines on lakefront recreational property in the entire state of Michigan.

On top of this in the past three years, within a six mile radius of our home over 11 parcels totaling 1300 acres have been purchased by companies with gravel mining interest. The threat is real to us of the potential this has of drastically changing our community for decades.

These bills 1) removes current Michigan Zoning Enabling Act (MZEA) provisions for sand and gravel mining, 2) supersedes all local zoning and master plans, 3) allows for mining to within 50 feet of a property line, and states that gravel mining applications would not require a public hearing.

Zoning laws exist as a promise by the government to allow people to live peaceably on their property for the reasons they were purchased.

Local governments are in place to govern and protect local communities. Much thought and insight has gone into local governments zoning laws and master land use plans, balancing the various needs of the community. Abolishing local zoning for gravel mining is outrageous!

We implore you in the strongest words to vote NO to these bills. Local government must have a voice in decisions that directly impact their communities. This bill would be an overreach by state government to take away necessary controls from local government. Please help us to find a solution, a bill that is a win for both sides and not highly slanted to one side.

Respectfully,

Bill and Sue Krueger

8214 Nadell Dr. Delton, MI

Molly Wingrove

From: Char Wabeke <thewabfam1@yahoo.com>
Sent: Sunday, May 7, 2023 10:58 PM
To: Molly Wingrove
Subject: House Bills 4526-4528

Follow Up Flag: Follow up
Flag Status: Flagged

This letter is in regards to the proposed House Bill 4526-4528. We have several concerns about the bills and would like to convey those concerns to you.
When considering the proposed bills we request that a bigger picture view should be considered. While there is a need for gravel, it should be determined if the need for gravel as purported by the mining industry is really as great a need as they state. Will allowing unlimited mining and very little regulation really be best for the citizens of Michigan and all of the natural resources that make Michigan beautiful? The beauty of Michigan is it lakes, wildlife, and its agriculture. How will mining really affect those valuable resources? Michigan has previously placed value on agriculture by implementing the Farmland Preservation Act. Lakes and wildlife are also what makes Michigan special. Those natural resources need to be protected as well.
Our concerns with the proposals are:
1. There should be coordination between various facets of the States' different interests including those associated with preservation of our lakes and streams preservation of our wildlife and preservation of our agriculture areas.
2. When matters of allowing mining are taken out of the hands of local government, it can hurt the local areas in ways that aren't necessarily apparent to the State government. Local governments know the area and how it will affect the matters that are important to the people and the preservation of local lakes and wildlife.
3. Our family has had property located on a small lake for over 55 plus years. It has been a place of relaxation and refuge for all family members who come there. Unfortunately, a piece of property located on the lake a proposed gravel mine for that agricultural land. It concerns us because we feel we will lose our refuge from the stresses of everyday life with the noise of the gravel mine. In addition we have special needs grandchildren who cannot tolerate loud noises and we have a son in law who is a veteran who find refuge in the peace and quiet of the lake. Additionally, once gravel mining reaches a certain depth it will affect the water tables. The first being that the wells that serve the cottages and homes will experience problems and the level of the lake will go down and possibly negatively affect the fishing, etc. It would be shame for all who seek the peace and quite of the lake to have to lose what they have invested in.
Please consider all consequences of allowing the bills to go through and ensure that any decisions are made for the best for We the People versus what is best for an industry that might not take into consideration the consequences to several others.
Thank you for your time,

Jay and Charlene Wabeke
Jenison, Michigan

Sent from Mail for Windows

Molly Wingrove

From: Ellen Berens <fourberens@gmail.com>
Sent: Sunday, May 7, 2023 6:59 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

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Committee members,
I am writing you to state clearly that I am opposed to HB 4526-4528 that involve regulation of aggregate mining in Michigan. The current laws are already vague and do not favor residents in local districts that are affected by mining in their communities. These bills further the power of the monied mining industry, with a total disregard to environmental concerns, riparian rights to the enjoyment of a property, or local governing bodies that know their land and resources the best, and know the effects of mining on that district. Has the state learned NOTHING in its battles over the Flint Water Crisis or cleaning up PFAS from our waterways? Are we so hungry for money that we will overlook the fact that our natural forests, lakes, and streams are what make our state so valuable?
I have been involved for 4 years in a fight over mining rights in Barry County, MI. where there are already several mines within a 5 mile radius.and at least 3 more proposed mines in that same area. I live on a chain of 4 lakes near Delton, MI. Stoneco Aggregate Company has been trying to mine sand and gravel on our lakes there. They own 800 feet of lake frontage. Our lake is peaceful and hosts a variety of wildlife, including several species that are on Michigan's species of concern list. We are an all season, recreational lake with many people finding an affordable retirement home with lakefront living here. This will be absolutely destroyed if the mine is allowed. The above bills would make that a given, and there would be nothing that we can do to protect the peacefulness of our community OR the water that we count on for drinking, swimming, and fishing. It is time to invest in what makes our state valuable and stop destroying our natural resources.
The decision is yours. You are deciding the future for the next generation, as you and I will not likely see the long term consequences of allowing mines to be placed wherever a company decides they want to go next.\
Please do the right thing and do NOT allow these bills to even leave your committee, let alone come up for vote.
Thank you for your time in reading about my concerns.
Sincerely,
Ellen Berens
8244 Nadell St.
Delton, MI
and 4219 Brandy Lane
Hamilton, MI

Molly Wingrove

From: Julie Osgood <josgood@mei.net>
Sent: Sunday, May 7, 2023 6:40 PM
To: tyroncarter@house.mi.gov; Rep. Tullio Liberati (District 2); Rep. Mike Mueller (District 72); Rep. Cynthia Neeley (District 70); helenscott@house.mi.gov; 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); GrahamFuller@house.mi.gov; 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, and 4528

Follow Up Flag: Follow up
Flag Status: Flagged

As property owners and residents of Michigan we STRONGLY oppose House Bills 4526, 4527, and 4528. These bills take away our township's (and its residents) ability to advocate for itself. We elect township officials to make and enforce local zoning ordinances. Do not let gravel lobbyist supersede local units of government.

Less oversight of gravel mining would be detrimental to our beautiful state.
Please pay attention and VOTE NO.

Respectfully,
Ken & Julie Osgood
4294 Reynolds Rd
Delton, MI. 49046

Molly Wingrove

From: James Schwantes <centervillesupervisor@gmail.com>
Sent: Saturday, May 6, 2023 11:32 AM
To: Molly Wingrove
Subject: Opposition to House Bills 4526, 4527, and 4528

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Chair T. Carter and Members of the Regulatory Reform Committee,

My name is Jim Schwantes and I am the Supervisor of Centerville Township in Leelanau County. I am writing to express my opposition to House Bills 4526, 4527, and 4528 as currently written.

As I have personal knowledge of the impact of gravel mining on our community and have been following this issue for a while, I strongly encourage the members of this committee and the sponsors of these bills to work in good faith with local government representatives such as the Michigan Townships Association to draft amendments to these bills to preserve local control and local rights. As currently written, these bills would be detrimental to the small local governments like ours as we advocate for our communities to protect against the significant negative impacts of this industry on the health and wellbeing of our residents, the environment, property values and property rights.

As such, I stand with local government leaders across Michigan to oppose HB 4526, HB 4527, and HB 4528 as currently written. These bills do not currently strike the correct balance between local government rights and the mining industry's interests. We stand ready to work with this committee to improve the bills by preserving local control in mining initiatives.

Sincerely

Jim Schwantes

Centerville Township Supervisor

--
Jim Schwantes
Supervisor, Centerville Township
5001 S French Rd

Cedar, MI 49621
231-920-5204

Molly Wingrove

From: Paula Frandsen <paulared6@gmail.com>
Sent: Sunday, May 7, 2023 3:56 PM
To: Molly Wingrove
Subject: House Bills 4526, 4527, 4528

Follow Up Flag: Follow up
Flag Status: Flagged

To Regulatory Reform Members:

I am writing to express my concern and outrage over your consideration toward passage of these bills in relation to regulation of gravel pits. Please stand with local Michigan communities and oppose House Bills 4526, 4527, and 4528.

Why would you be in support of preempting local administration over these decisions which affect the local communities? Makes me think there's something "rotten in the state of Denmark"! Please vote against passage of these 3 Bills!

Sincerely,
Paula Frandsen
Michigan Voter

Molly Wingrove

From: ANTHONY RATTI <drdrug@aol.com>
Sent: Sunday, May 7, 2023 3:37 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: Bill 4526,4527,4528

Follow Up Flag: Follow up
Flag Status: Flagged

My family and I are firmly against Bill 4526,4527, and 4528. We recently bought property on Wall Lake in Hope township, Delton, MI, for the purpose of enjoying nature and the lake. This of course would completely change the scenery to dump trucks, noise pollution, and debris/dust of various gravel companies without any recourse for area residents. Keep these decisions local!

A few highlights from the bills are as follows:

- They specifically 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 bill specifically supersedes all local zoning and master plan provisions. Local units of government are totally un-involved.
- They would allow mining up to 50 ft of a permitted property line.
- They 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.
- Allows for periodic air blasts of 133 dbA. Ouch!
- If a person files a complaint with EGLE and EGLE investigates and dismisses the complaint and 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.

Thanks for your consideration
Anthony T Ratti
4561 Wall View Dr
Delton, MI 49046

Molly Wingrove

From: Greg Stamm <gregstamm.mnm@gmail.com>
Sent: Sunday, May 7, 2023 1:43 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: Opposition to House Bills 4526, 4527, and 4528

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Regulatory Reform Committee of the Michigan State House of Representatives:

Please oppose House Bills 4526, 4527, and 4528 that removes local governance including local zoning, local administration, and local ordinances for the Sand and Gravel industry. This is an affront to the value of local governance for property laws. Please fight for my ability to give voice to local zoning decisions where my home and family reside within Hope Township, Michigan.

These three bills are designed to circumvent the huge wave of opposition the Sand and Gravel industry faced in Barry County in 2022. This same opposition continues to be animated about keeping local zoning decisions-local.

Thank you for being our champions for Hope township, Barry County, Michigan in this matter. We are counting on you.

Greg and Jodie Stamm
9053 M-43, Delton, MI 49046

Molly Wingrove

From: ellyatt@sbcglobal.net
Sent: Saturday, May 6, 2023 12:46 PM
To: Molly Wingrove
Subject: HB 4526-4528

Follow Up Flag: Follow up
Flag Status: Flagged

Clerk Wingrove

It has come to my attention that a group of bills HB 4526-4528 has been brought to your committee, the committee for regulatory reform, for discussion.

This group of bills rips away any ability for local units of government or local communities to stop the siting of gravel mines almost anywhere. Gravel mines are the epitome of a corporate polluter. They lay waste to the land scape, generate noise and harmful silica dust and leave legacies of destruction for generations. These are just the type of people that need to be regulated.

These bills would allow for mining up to 50 ft from their property line. It does not matter if it is a home, or a school, or a church on the other side of the line, or even a lake or natural treasure.

They allow for noise levels up to 133db at the property line. That is louder than the loudest concert ever held at Little Caesars arena.

They take away local control and supersede any local zoning. With this bill a miner can eliminate any effort at self-improvement that a community makes.

Stand up for citizens, stand up for communities, stand up for local control, stand up for environmental justice and do not let these bills out of committee.

Sincerely

David Ellyatt
Cell 616-648-5163
ellyatt@sbcglobal.net

Molly Wingrove

From:	timjohnson@centurytel.net
Sent:	Saturday, May 6, 2023 11:41 AM
To:	Molly Wingrove
Cc:	'James Schwantes'
Subject:	House Bills 4526, 4527, and 4528
Follow Up Flag:	Follow up
Flag Status:	Flagged

Dear Chair T. Carter and Members of the Regulatory Reform Committee,

My name is Tim Johnson and I am the Chairperson of the Centerville Township Planning Commission in Leelanau County. I am writing to express my personal opposition to House Bills 4526, 4527, and 4528 as currently written.

I strongly encourage the members of this committee and the sponsors of these bills to work in good faith with local government representatives such as the Michigan Townships Association to draft amendments to these bills to preserve local control and local rights. As currently written, these bills would be detrimental to small local governments like ours and would have significant negative impacts on the health of our residents and the wellbeing of our communities. Local municipalities know their communities best and operations that may be a good fit for one community may be a bad fit for another. These decisions should remain at the local level, and should not be dictated from Lansing.

As such, I stand with local government leaders across Michigan to oppose HB 4526, HB 4527, and HB 4528 as currently written. These bills do not currently strike the correct balance between local government rights and the mining industry's interests. I strongly encourage the members of this committee to improve the bills by preserving local control in mining initiatives.

I intend to discuss these Bills with our 5 person Planning Commission at our June 5, 2023 monthly Planning Commission meeting. I will contact you again with additional comments from the Planning Commission after our June Draft minutes are available.

Sincerely,

Tim Johnson

Chair, Centerville Township Plaining Commission

Molly Wingrove

From: Karen Meteer <klm@runningwise.com>
Sent: Friday, May 5, 2023 4:38 PM
To: Molly Wingrove
Cc: Tom Grier; gregoryrjulian@gmail.com
Subject: Proposed Gravel Mining House Bills 4526, 4527 and 4528
Attachments: May 5 2023 Letter Molly Wingrove House Committee on Regulatory Reform_.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Wingrove,

On behalf of Greg Julian, Supervisor of Kasson Township, please see the attached letter that opposes proposed House Bills 4526, 4527 and 4528 which are scheduled for a hearing on Tuesday, May 9, 2023 at 10:30 a.m. before the House Committee on Regulatory Reform. Could you please place this letter in the packets of the Committee Members prior to the hearing.

Kind Regards,

Karen L. Meteer
1501 Cass Street, Suite D
P.O. Box 686
Traverse City, MI 49685
Ph. 231.946.2700
Fax 231.946.0857

To the extent that this written communication may address federal tax issues, federal regulations issued by the U.S. Treasury require that the recipient be informed that this written communication is not intended and cannot be used to (i) avoid any potential tax penalties that may be imposed under the U.S. internal Revenue Code or (ii) promote, market, or recommend to another party any transaction or matter addressed in this communication.

Please note that this email message and any attachments may contain privileged or confidential information that is protected against use or disclosure under federal and state law. If you have received this in error, please advise by immediate reply. Any transmission to persons other than the intended recipient shall not constitute a waiver of any applicable privileges. Any unauthorized use, disclosure, copying or dissemination is strictly prohibited.

RW
Since 1946
The Running Wise Law Firm
Ford • Conlon • Gerberding • Grier
Attorneys at Law
A Professional Limited Liability Company

May 5, 2023

Ms. Molly Wingrove, Clerk
House Committee on Regulatory Reform
Michigan State House of Representatives
mwingrove@house.mi.gov

Re: Proposed Gravel Mining House Bills 4526, 4527 and 4528

Dear Ms. Wingrove,

[This letter opposes proposed House Bills 4526, 4527 and 4528 which are scheduled for a hearing on Tuesday, May 9, 2023 at 10:30 a.m. before the House Committee on Regulatory Reform. Could you please place this letter in the packets of the Committee Members prior to the hearing.]

Dear Members of the House Committee on Regulatory Reform,

As Supervisor for Kasson Township in central Leelanau County, I am writing to make you aware of Kasson Township's strong opposition to proposed House Bills 4526, 4527 and 4528.

Kasson Township opposes the series of bills because they aim to restrict – or for the most part eliminate – local zoning and planning control over gravel mining, while also containing a weak set of mining standards that would be implemented statewide to the harm of residents neighboring a gravel mine.

The Township opposes the bills for the following general reasons:

The current mining statute, MCL 125.3205, within the Zoning Enabling Act is already very restrictive with respect to local government control over gravel mining, and was amended as late as 2011.

The legislation would overturn decades of practice in Michigan granting local control over gravel (and sand mining) which has been distinguished from the state regulation of the mining of other minerals such as iron and copper. These decades of practice have recognized that supplies of gravel, and the local/regional need for gravel, vary across the state, and that local communities deserve the right to adopt reasonable regulations, and to zone and plan, in order to accommodate for the public need for gravel, while also protecting neighboring property owners, in the context of those specific conditions.

The proponents of the bills largely argue local governments, such as rural townships, should not, and/or cannot, regulate gravel mining in their communities (and impliedly that state agencies are better equipped to do so).

Kasson Township's experience with gravel mining is a case in point that *rebuts* this premise and is also a warning about the danger of not having close local oversight over both how and where gravel mining occurs.

Kasson Township has one of the largest gravel reserves in northwest Michigan (and perhaps in Michigan as a whole) and has also gone to great lengths to *accommodate* gravel mining. For example, the Township has set aside about 3,100 acres or *five square miles* for gravel mining within a *defined gravel mining* district under the Township's Zoning Ordinance. There are now multiple large gravel mining operators inside the district that have worked well with Township officials over decades.

But the current degree of harmony in Kasson Township did not come easily. It required the extensive work of knowledgeable *local officials* working with professional planners, gravel operators and others on a *local* level to make things work.

As a result of that local effort, in 1997 the Township adopted the boundaries of the current 3,100 acre gravel district. Prior to the adoption of the defined district, there was a great deal of zoning conflict and uncertainty over gravel mining. Between 1988 and 1994, there were seven rezonings that added another 600 or so acres to the existing mining areas. The rezonings occurred *haphazardly* because there was no defined gravel district.

One of the worst effects of these haphazard rezonings was the *uncertainty* they created in the Township for ordinary people buying property and homes. People did not know where a gravel mine would open, and once a mine did open, it made it very hard for people to live there, with the result that people wanted to leave, but then could not sell their homes. After experiencing the noise, dust, heavy truck traffic and other effects of gravel mining, one young family filed a lawsuit against their realtor arguing fraud where a pending gravel mining rezoning was not disclosed to them prior to the time they purchased their home. The couple could not sell their home, so the real estate company bought it back to resolve the lawsuit.

Kasson Township's five-square mile defined gravel district, *under local zoning*, was designed to stop that problem. When at a later time, the Township needed to defend the boundaries of the five-square mile district from what the Township perceived as an unnecessary request for expansion, in a court action, the Township conducted a subsequent costly study by a professional geologist to further *map out and calculate the reserves* within the gravel district to serve the regional Traverse City market. That study, in 2006, estimated a 50-75 year supply of gravel in the district to serve the regional need for gravel. The Township did a similar study in 2013-2014. The Township's own mapping studies were consistent with what John Yellich, Director of the Michigan Geological Survey, has recommended statewide in a recent report.

Proposed House Bills 4526, 4527 and 4528 would facially undermine and even destroy the comprehensive and effective efforts of local governments, like Kasson Township, to balance the public interest and need for gravel with the need to provide land use predictability and assurances to its residents. If such bills are adopted as law, gravel mining in Kasson Township would revert back to the haphazard uncontrolled conflict that existed 30 years ago. The gravel district's boundary, established through close *local* review and study would be meaningless. Permit decisions would be

made by state officials on an ad hoc basis with no deference to the Township's zoning district and plan and unique circumstances.

So, in short, Kasson Township, a rural township in northern Michigan proved that a local government can and should be in position to regulate gravel mining as has been the case for decades in Michigan. Other local governments have done so, and can do so in the future as well. So the premise behind House Bills 4526, 4527 and 4528 is flawed and untrue.

Additionally, the proposed bills would impose inadequate mining performance standards statewide, unmindful of the need to adjust standards to local conditions. For example, the bills would allow gravel mining noise to reach sound levels of up to 75 decibels in *residential* areas. Such a sound level is *four times* louder than the 55 decibels recommended by a US EPA study with respect to outdoor residential noise levels. Further, this 75- decibel standard is proposed to be applied based on an 8-hour average, which means that noise could *exceed* the 75 decibel level (i.e. 100 decibels) for substantial periods of time. This would allow very loud and harmful noise levels. Even higher noise levels are allowed for commercial (85 decibels) and industrial areas (90 decibels), respectively, which could still be used for residential or small business purposes.

The bills also provide for standardized mining setbacks, i.e. 500 feet from a residence, which may not be appropriate in the context of local conditions.

In summary, based on all of the discussion above, Kasson Township requests House Bills 4526, 4527 and 4528 be opposed during review at the House Committee on Regulatory Reform. I would be glad to discuss this further at your convenience. I can be reached any time on my cell phone at (231) 883-2560.

Sincerely,

Gregory Julian
Supervisor, Kasson Township

Molly Wingrove

From: Tom Kulpa <tomandjillkulpa@hotmail.com>
Sent: Monday, May 8, 2023 11:03 AM
To: Molly Wingrove
Subject: Gravel mining bills 4526,4527,4528

Please forward comments below to members of the regulatory reform committee.

It is my understanding that the gravel industry is pushing the above bills, that the gravel industry also appears to have written for you. Be reminded that your responsibility is to protect the constituents who elected you, not to the gravel industry. But I understand how government works.....give us money for campaigns and we will support your bills, because money trumps common sense.

I am an independent voter, but always believed Republicans were for conservative limited government and that most decisions should be made locally. I also believed that Democrats were for the people and the environment. These bills don't seem to truly fit either party beliefs. But it clearly fits the Gravel industry beliefs that they can go anywhere without inflicting damage to the community, or environment. Legislature had some gravel bills a year ago or so, that seemed to protect local interests, but also allow more freedom for gravel miners....not sure what happened to them....but those seemed like the way to go, where everyone could win. The current bills seem to benefit no-one but the gravel industry.

Before you whine to me about a campaign promise to fixing the damn roads....new gravel is less necessary than ever before. Years ago, all new gravel, concrete and asphalt were used to repair, build new roads, and the old surfaces were hauled away and piled in concrete/asphalt graveyards. And many of our roads need repairs due to heavy trucks rolling down roads not designed for that weight....such as tandem gravel haulers. Now, technology recycles a large percentage of aggregates from existing surfaces and recycles them into new pavement. Meijer Inc, actually recycles plastic shopping bags into material used in repaving their parking lots. So, instead of finding more opportunity to strip the land, devastate wildlife, create health, noise, and visual eyesores in "Pure Michigan" you should be focused on finding ways to protect our communities, environment, and the beauty of Michigan with all of those things in mind when it comes to determining gravel sites. Local people know this best.

Near Gun Lake in Barry county, on Patterson Road, there are close to a dozen gravel mines, stretching for several miles and hundreds if not thousands of acres. They are no where near running out of gravel in those mines, have been there for 20 years+, but at least they were approved to be located a significant distance from the lake community, watershed, and were in pretty much barren fields. I am sure these are not the only sites in Michigan with lots of gravel and sand still available. How about we destroy one site completely before starting to destroy multiple others?

I am not stating that there is no need for gravel and sand, but there is less need. State agencies (and Feds) allowed paper mill pollution (PCB's) in our rivers, DDT pollution in our fields and ultimately rivers and great lakes, as well as numerous other chemical dumpings (dioxins, tannery products in Whitehall, chromium in Allegan, and other industry related disasters, lead pipes in water supply, and now PFAS which may be the most dangerous of all, and PFAS appears to be able to travel long distances in ground water.

All I ask is for your consideration in finding a way where local communities in conjunction with the state can determine the safest possible location for any new gravel mining after existing mines are completely depleted.

Heres the easy answer.... Would you allow gravel mining at Sleeping bear Dunes, or along the lake Michigan shoreline? There is enough sand and gravel there to re-pave America. No, you wouldn't.....that would ruin the "PURE MICHIGAN" campaign. So, rather, you would allow multiple mini-destructions of Michigan properties, lives, communities, resources, wildlife, farmland, forests, bogs, swamps, rivers, creeks, streams.....

I urge you and the committee members to think for yourselves and not cow down or be bought by the gravel industry and what you would like to see in your own Michigan backyard?

Even though difficult, There is always a way to negotiate a reasonable solution that protects interests of industry and the public.

Sent from Windows Mail

Molly Wingrove

From: Lisa Warner <lwarner@jaquarealtors.com>
Sent: Monday, May 8, 2023 11:17 AM
To: Molly Wingrove
Subject: GRAVEL MINING SHOULD NOT BE IN OUR BACKYARD AND DISTROY OUR WELL BEING

Follow Up Flag: Follow up
Flag Status: Flagged

I am totally against and protest the fact, our homes, wells, lakes, natural habitats and environment are trying to be controlled by the government.
#1. Michigan is a big enough turanin you can keep your pits, away from residential areas. Be smart when you put our well being in jeopardy.
L. Warner, Barry County, MI
We work hard to preserve our lakes and you keep destroying them.

Molly Wingrove

From: John Schumacher/Marilyn Breu <schubru@msn.com>
Sent: Monday, May 8, 2023 11:43 AM
To: Molly Wingrove
Cc: 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. Graham Filler (District 93); Rep. Jimmie Wilson Jr. (District 32); Rep. Pauline Wendzel (District 39); Rep. Joseph A. Aragona (District 60); Rep. Jerry Neyer (District 92)
Subject: HB 4526, 4527, 4528

Follow Up Flag: Follow up
Flag Status: Flagged

I was dismayed, disheartened and then angry when I read some of the details of the proposed legislation regarding gravel pits in Michigan. These bills fly in the face of the citizens of our fine state, removing any and all input into how communities direct the location and impact of this type of industry. Allowing a gravel pit to be located in residential or environmentally sensitive areas is unconscionable. Citizens need to be able to have a say when a mining operation may be in place for decades, impacting neighborhoods within several miles of the pit. The noise, vibrations from equipment use, increased traffic and wear and tear on roadways, soil erosion and dust in the air (with potential health risks) should all be considered and factored into the analysis. Gravel companies should not be given carte blanche to go wherever they please regardless of the impact on the surrounding community. One industry should not be allowed to run roughshod over hundreds if not thousands of Michigan citizens.
This issue is personal to me as a gravel mining operation is currently attempting to place a mine on the shores of an inland lake in Barry County where my husband and I have a home. This location is currently zoned residential/agricultural and has one of the longest shorelines on the lake which is a mixed community of both vacation and year-round homes. This is a tranquil get-away for many and having a mining operation on this site for 25-30 years would absolutely devastate the entire community including those who are not directly on the lake. The potential for erosion into the lake is strong as there are relatively steep slopes from the property down to the shoreline. Residences are directly adjacent to the property and a 50' distance is ridiculous given the decibel allowances proposed and the dust clouds. Sound on or near the lake is amplified and one can hear a lawn mower or leaf blower easily across the full length of the lake. How much worse is the sound of a rock crusher or excavation equipment running from 6 a.m. to 6 p.m.? if a neighbor is using a lawn mower at 6 a.m. I could ask them to please do it later in the day – not so for a company looking to dig up as much as they can on any given day. The total environment and the reason for living there would be negated. This scenario is one I hope not to have happen. I feel like the man in Tiananmen Square standing in front of the tank. If these bills are introduced and passed, you have provided the driver and fuel for the tank to utterly destroy our dream of a peaceful, lovely retirement where the sounds around us are the croak of a bullfrog and the trill of a redwing blackbird. Please consider the impact of these bills for the long term and the voices of the citizens of this beautiful state.

Sincerely,
Marilyn Breu
8226 Nadell
Delton, MI 49046

Sent from Mail for Windows

Charter Township of Garfield

Grand Traverse County

3848 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684
PH: (231) 941-1620 • FAX: (231) 941-1588

May 8, 2023

The Honorable Tyrone Carter, Chair (TyroneCarter@house.mi.gov)
House Regulatory Reform Committee
State House
PO Box 30014
Lansing, MI 48909-7514

RE: House Bills 4526, 4527 and 4528

Dear Representative Carter:

On behalf of the Charter Township of Garfield Board of Trustees, I would like to express our unanimous Township Board opposition to House Bills 4526, 4527 and 4528 which strip township authority and oversight of sand and gravel mining operations.

House Bills 4526, 4527 and 4528 eliminate local jurisdiction. Sand and gravel mining operations can have a lasting impact on a community without proper consideration of existing land uses and the effects it will have on the community, its residents, its businesses, and property owners. Local governments are best equipped to balance the needs of residents with the impact of mining operations.

I request that this correspondence be included in the official committee record.

Sincerely,

Chuck Korn

Chuck Korn
Township Supervisor
Email: ckorn@garfield-twp.com

cc: Representative Betsy Coffia (BetsyCoffia@house.mi.gov)
Representative John Roth (JohnRoth@house.mi.gov)
Representative Curtis VanderWall (CurtisVanderWall@house.mi.gov)
Molly Wingrove, Committee Clerk (MWingrove@house.mi.gov)

Molly Wingrove

From: Peter Harper <harper@harper.biz>
Sent: Monday, May 8, 2023 12:34 PM
To: Molly Wingrove
Subject: RE: House Bills: 4526, 4527 & 4528 Please Protect our Property Rights!

Dear Molly,,

I am reaching out to you regarding House Bills: 4526, 4527 & 4528. Could you please pass my email along to all on Regulatory Reform Committee of the Michigan State House of Representatives..

To: Regulatory Reform Committee of the Michigan State House of Representatives Members,

I am reaching out to you regarding House Bills: 4526, 4527 & 4528

These bills are just another rehash of Senate Bills 429, 430, 431 from last year. These current bills were written by the Aggregate Industry for the Aggregate industry. There is no bipartisanship here - no consultation with the Michigan Township Association, no consultation with environmentalists , no consultation with community groups. Just another power grab by Big Aggregate whose main aim is to make as much money as possible by taking away our property rights, destroying our environment and ending local government zoning. We don't even get a public hearing - we will have no rights at all!

These new bills will allow a gravel pit to operate any where they like....next to homes, hospitals, churches, hospices, elementary schools, preschools, veteran's homes, wetlands, lakes and the list goes on. It could be your home or your family's home and there would be nothing you could do to stop it!

MAA is rehashing the same old arguments with out any concern for property rights, township zoning, health issues (silica dust/ noise pollution), the devaluation of our homes and the diminishment of our tranquility of life. EGLE is incapable of overseeing these pits. They lack the knowledge, skill and man power to do this job adequately. Target Trucking's Bohne Rd Pit, Grass Lake, Michigan - is a case that demonstrates lack of oversight / follow up and adherence to Federal Environmental Laws - NREPA (Natural Resources Environmental Protection Act) Part 301, 303. Target Trucking created an illegal 10 acre lake without the legally required hydrogeology study and wetlands delineation study and they did not apply for an EGLE permit. Only after local residents provided aerial pictures of the illegal lake, did EGLE issue a NREPA violation notice. EGLE had no idea what was going on at this pit, despite years of complaints. Several wetlands have been destroyed and ignored (purposely omitted from Target Tucking's site plan) **The dust and noise has destroyed local resident's health and their ability to even sell their homes because no one wants to live there!!! If EGLE is not capable of overseeing one gravel pit in our tiny town - how are they supposed to oversee all permitting for these pits. Its just not possible!**

Here are some of the worst aspects of these three bills:

- **These bills specifically 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 bill specifically supersedes all local zoning and master plan provisions. Local units of government are totally un-involved.**
- **They would allow mining up to 50 ft of a permitted property line.**
- **They 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.**

- Allows for periodic air blasts of 133 dbA. Ouch!
- If a person files a complaint with EGLE and EGLE investigates and dismisses the complaint and 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.

Does this sound fair and balanced to you? Our homes are our biggest investment and MAA can singularly take away our investment, take away our property rights and destroy our health just by getting a permit from EGLE which we can't adequately appeal.

I sincerely hope that you will withdraw your sponsorship of these three horrendously one sided bills and put residents first!

Sincerely Bobbi and Peter Harper
3436 Betrasha Lane,
Grass Lake. MI. 49240
Tel: 586 420 4728

Dear Editor,

I am a concerned citizen directly impacted by the proposed gravel pit in the Irish hills.

I've lived here for 22 years and bought this property from Chuck Brighton. He was a good man, friend and neighbor. He told me once that he had it in his Will to protect the land behind my home permanently as either farmland or natural land, never to be touched by commercial entities. It appears that his surviving family decided to sell out to a gravel pit company that will destroy the beauty and clarity of our environment, and pose serious health and environmental consequences to the surrounding residential homes and businesses, including my home.

I've served as a good neighbor, good citizen and raised my son here in this community. This is an area rich in natural beauty with many lakes and historic sites, including my beloved church dating back to the 1850s. This is considered a tourist area for campers, hunters, and beautiful summer homes. It is a sanctuary for wildlife and the area serves as a watershed for communities. Those of us that live here and serve the community year round will endure the biggest impact of the mines if they are approved.

WJ Hayes State Park and Wamplers Lake, which I have been going to since I was a baby to swim and enjoy the lake, would be dramatically affected so close to the proposed areas. There are considerable risks to the environment, animal species, wetlands and watershed areas of the Irish hills. Areas allowing gravel mining have a history of problems destroying the water. What will happen to our precious lakes out here that so many people invest time and money to have summer homes on?

People that come here to vacation, or live here year-round like myself would no longer be able to enjoy the peace, beauty and clarity of this area as it is now. My friend Chuck Brighton would roll over in his grave knowing the potential risks of putting the gravel pit in this area, and what it will do to the value of our homes. Home values have already depreciated in the area since the proposals were presented. Businesses all within this area will be dramatically affected when people are going to avoid coming out here, or living here due to the traffic, pollution, and destruction this will cause.

The residents of this community will be directly impacted by the serious health consequences that have occurred in other residential communities that had gravel mining permitted. After discovering this new development of a potential gravel pit in this area, I immediately started researching areas like the Grass Lake gravel pit, Bohne Road Mine in Jackson MI and other cities across the country impacted by this mining activity. Gravel pits pose huge health and environmental risks, and people need to understand these consequences, namely our Cambridge Township officials that hold the key to passing these permits.

Gravel mining affects the air in a way we can't always see or smell. Many residents in communities across the country with gravel mines have reported health problems if they stayed in the area. Some of the research I've done shows quarries create invisible dust particles proven to cause silicosis—a progressive, incurable lung disease. Long-term exposure to particulate matter is strongly associated with heart disease, stroke, infertility, and pregnancy complications. The silica dust is released during the gravel mining process, and without

effective mitigation measures, the wind can carry it off-site. Businesses and residents living within an 8-mile radius of these proposed sites can be affected; especially in this area that has higher than average wind gusts. Health risks are only part of the huge economic and environmental consequences these mines pose towards businesses and residents.

It's my opinion that gravel mining companies should not be allowed to function within a 10-mile radius of residential properties, much less watershed areas and lakes where people vacation, boat and swim. It's a travesty to think that the almighty dollar is more important than the quality of life in a residential community that is historic, rich in nature and so important to people all over Michigan. They picked the wrong place to try to do this.

I am proud to be part of the Citizens to Protect the Irish Hills which includes numerous amazing and intelligent citizens that have contributed much to this community, are very concerned and do not want this gravel pit to be allowed. To see the map of the proposed areas, go to citizensprotectirishhills.com.

I can only hope that the good people of the Cambridge Township Committee and Board love this area enough to protect it as their duty as township government officials to not allow the permits to be passed. We depend on and vote for them to have our community's best interest at heart and save this precious area, its memories and the homes of the loving families that live here.

Lori E. Mantyla

Molly Wingrove

From: Dawn Parsons <DawnParsons00@outlook.com>
Sent: Monday, May 8, 2023 12:40 PM
To: Molly Wingrove
Subject: HB 4526, 4527, and 4528 - Hearing participation

Hello Molly,

I am president of the Sand Lake Property Owners Association (SLPOA). We are in opposition to HB 4526, 4527, and 4528, believing strongly that aggregate mine permitting and operational requirements should be left to the townships.

Is there a way for the public to participate in tomorrow's hearing?

Thank you,
Dawn Parsons
517-256-1702

Sent from Mail for Windows

Molly Wingrove

From: John Schumacher <schubru2021@gmail.com>
Sent: Monday, May 8, 2023 10:01 AM
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: Opposed HB 4526, 4527, 4528

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern,

I am not opposed to sand and gravel mining, this is not another case of not in my back yard. At my primary residence there is a mine 3 miles away. At my lake house there is a mine about a mile away. I am strongly opposed to the passage of these bills. Every company or industry, in this case gravel mining need to make a profit, but not at the expense of others.

There are very serious consequences that can happen from mining. Gravel mines that wash rock use a large amount of water. What happens when the wells of residences surrounding the mine go dry. What happens when the ground water is polluted. The mines are not going to care or even look into it if this happens. Local control will have a faster response than the state and can monitor for problems.
Noise from the mine is another very serious consequence. These bills make it all but impossible to govern the noise coming from a mine by using a time weighted average of sound coming from the mine.
Public safty around the mine site is a very serious consequence. Some of these mines have 250 or more trucks coming to the mine daily. That is 500 plus trucks coming and going from the mine site going down the local roads which may or may not be able to handle the added traffic. What about the safety of local residents.
The need for gravel is a big question. Yes we need gravel, fix the damn roads, but if there are 5 or more mines in a county do we need more, just so they can ship it to other areas, out of state or even internationally. Yes it cost money to move gravel and sand, but you can find it anywhere in Michigan. Mines ship sand and gravel all the time and they are not doing it for the good of the country, they are making money.

The need for sand and gravel should not be based only on if the mine can make a profit.

Taking the control of where a mine can go away from the local units of government is a big mistake. They are there to protect the residents. They will do a much better job than at the state level because they know the area and understand the nuances of the community. They have to follow the current MZEA provisions.

These bills are only there to make it easier for mining operations to make money at the expense of the local residents. We have rights and should not be forced to endure the very serious health and financial consequences so a company can make money.

These bills are just plain and simple bad legislation.
Please reject these bills and watch out for the residents of your district and the people of Michigan.

Thank You for listening to my concerns

John Schumacher
7771 W G Ave
Kalamazoo, MI 49009
Schubru2021@gmail.com

Molly Wingrove

From: mary O'Neill <heymaryoneill@gmail.com>
Sent: Monday, May 8, 2023 10:24 AM
To: Molly Wingrove
Cc: Greg Julian
Subject: Gravel Pit Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Molly Wingrove,

I would like to go on the record to say that I oppose house bills 4526, 4527 and 4528.

These proposed legislation would devastate local governments' ability to from manage, grow and encourage commerce in their communities.

Please do not allow this proposal to go in front of the legislation.

Mary O'Neill
10595 S Kasben rd
Cedar, MI 49621.

DetroitRegionalChamber
Powering the economy for Southeast Michigan

One Woodward Avenue • Suite 1900 • Detroit, Michigan • 48226

May 8, 2023

The Honorable Tyrone Carter
Michigan House of Representatives
State Capitol Building
100 N. Capitol Avenue
Lansing, MI 48933

Dear Representative Carter:

Survey after survey indicates that Michiganders are tired of their failing infrastructure. Business owners agree that repairing and maintaining Michigan's critical infrastructure should be at the top of the priority list for policymakers. New sources of revenue will be required to rehabilitate Michigan's transportation infrastructure; however, we should also ensure that taxpayers are extracting value for money by supporting policies such as House Bills 4526, 4527, and 4528.

The Department of Environment Great Lakes and Energy is well equipped to take on the important task of aggregate mining permitting by removing unnecessary and divisive political headaches from the permitting process and leaving the interests of Michiganders at the forefront. When aggregate mining can be placed near major construction projects, taxpayers can be spared millions in unnecessary costs, time and litigation. While truck traffic is a critical component of our supply chain, it also contributes to road degradation and diminished air quality. Bringing gravel trucks off the road for long distances will improve the quality of life for Michiganders.

The Chamber is thankful to you and your colleagues, Representatives Outman and Witwer, for bringing forward a bipartisan and common-sense solution to reducing road construction costs, supporting the small businesses that build Michigan roads and their employees and improving the lives of Michiganders across the state. We are happy to join partners in business and labor to ask you to improve Michigan's permitting system and pass House Bills 4526, 4527, and 4528.

Sincerely,

Brad Williams
Vice President, Government Relations

cc: Members, House Committee on Regulatory Reform