



Vevay Township

Ingham County

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June 21, 2022

Representative Julie Calley, Chair
Local Government and Municipal Finance Committee
N-1191 House Office Building
P.O. Box 30014
Lansing, MI 48909

Dear Representative Calley –

We are writing to object to the passage of SB 429-431 as passed by the Senate. These bills:

- Overturn standards of operation that have been used for many decades
- Intentionally and decisively deny and minimize citizen input into significant quality of life matters
- Create an opaque process for reviewing gravel mining permits
- Impose conditions on neighborhoods that would never even be considered in urban areas
- Create standards of reclamation that will not result in satisfactory real life conclusions

Vevay Township has had many gravel mines over the past 150 years, including six major mines since the 1960s. Today one is still operational, one is in the process of reclamation, and the other four are finished mining but with reclamation issues unresolved.

The longest esker in Michigan, the Mason Eskers, passes through Vevay Township. Records from over a century ago talk of this esker rising 100-150 feet above the surrounding land, but today it is gone, used over the years for roads as far north as Gaylord. Records from the 1920s warn of profligate practices exhausting gravel resources. Current practices of the use of gravel must be considered as well as its availability.

Michigan ranks second in the nation in gravel and sand mining. Large swaths of Vevay Township, and indeed Ingham County, contain substantial amounts of sand and gravel. Despite this level of mining, SB 429 proposes to potentially place gravel mining operations anywhere within thousands of acres of Ingham County, with apparently no consideration for the impact on the community. And worst of all, it does not allow for effective citizen input.

For many decades the state has delegated zoning decisions to local units of government, as that is the one place where residents can truly have their voices and opinions heard. The state requires a

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JoAnne Kean
Clerk

Christopher W. Lewis
Treasurer

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Master Plan, which is developed with substantial citizen input. The state requires our Zoning Ordinance to implement the goals and objectives of the Master Plan. Proposed SB 429's removal of local control not only discards significant citizen input, it also removes local residents' input from future decisions that significantly affect individual homes and neighborhoods.

Consideration of impacts on wetlands, groundwater, wooded areas, ecosystems, prime farmland, waterways and drainage districts, traffic control, residential uses, and future development are all apparently prohibited by SB 429 in its current form. Despite the 3 assertions in the bill of protecting natural resources, potentially large areas of prime farmland and woodlands will be destroyed.

Disappointingly, changes that resulted in the S-3 substitute version passed by the Senate do not address the concerns raised by Vevay Township and others during their deliberation. For instance, the reclamation bond is increased from \$1,500 per acre up to \$3,000, but our mining operators have testified that it costs them \$10,000 per acre to restore land. There is no change to the allowable noise levels. Shockingly to us, SB 429 would allow gravel mining in Residential Districts, which by design are more intensely developed for housing.

In the Agricultural District, noise that averages 90 Db, 24 hours per day, is acceptable, which is akin to proximity to a busy airport. Hours of operation, while appearing to be limited, are actually controlled by contract specifications or state bureaucratic decisions. With no warning or input, you could have two months of quiet nights suddenly replaced by months of 24 hour per day machinery beeping, truck traffic, crushing noise, and other associated noises. Equipment by federal law must have back-up beepers that must be of a certain noise level. This sound will dominate every other sound at night and, from experience, will affect an area of about a mile in diameter. Under the bill, double-bottom gravel trains could be running all night long, especially with the state's focus on night work on highways. Senate Bill 429's only local option is to require up to six foot berms, far shorter than sound walls along highways.

The time frame for permit application was shortened. Public notice of proceedings is not required to be published. All of the burden of response falls on the citizen, who can only access "concise" descriptions of the proposal without going through what appears to be a FOIA process. The Township would get a copy of the notice, and it appears SB 429 would leave it to the Township to inform residents.

By specifying standards, SB 429 does not allow for local input on issues common in gravel mining operations: hours of operation, dust control, traffic intensity, noise impacts, dewatering of ground water off site, etc. If you've never heard a rock crusher in operation and seen the pillar of dust it emits, there really aren't words to describe just how much noise and dust nuisance this single operation generates. If you've never had gravel trains running down your street every 5-10 minutes, all day long and now, apparently, all night long, again there really aren't words to describe the unsettling effect on homes and neighborhoods.

A vote in support of Senate Bills 429-431 is to intentionally prohibit your constituents from having a voice about development within their own neighborhood. A "yes" vote will subject your constituents to the potential nuisances of having a gravel pit and substantial gravel train traffic in their neighborhood, operating 24 hours per day.

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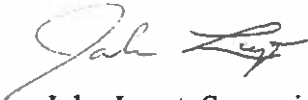
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Trustee

Again, we cannot emphasize just how intensely we oppose passage of SB 429-431 in their current form. Local units of government can, and do, permit gravel mines to open and operate. Senate Bill 429 tears down the constituent protections inherent in local government decision-making, and should be opposed if for no other reason than your constituents deserve to have their voices heard when a gravel pit is proposed in their neighborhood.

Thank you for listening to our concerns, and we hope you will vote for the best interests of your constituents should SB 429-431 come before you for a vote.

Adopted unanimously by the Vevay Board of Trustees, June 15, 2022

Sincerely,



John Lazet, Supervisor
Vevay Township

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